

Personnel Manual

City of California City
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Personnel Manual

City of California City

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Section I. Purpose and Applicability

I-A. Purpose

This manual is intended to implement and supplement the Personnel Ordinance as set forth in the Municipal Code of the City of California City. Where the Personnel Manual and the MOU's Differ, the MOU Prevails.

I-B. Coverage

These rules shall apply to employees in the Classified Service unless a broader coverage is expressly extended by a specific provision herein.

The Classified Service shall include all regular fulltime and regular part time positions except for the following:

At Will Management Employees as defined in personnel Ordinance set forth in Municipal Code

Temporary Employees (under 1000 hours of service)

I-C. Equal Employment Opportunity

For Purposes of employment, promotion, transfer or any other personnel related action; the City does not discriminate by reason of disability, marital status, medical condition, race, religion, color, sex, sexual orientation, age, national origin or ancestry, or political affiliations.

I-D. Revisions

Revisions and/or amendments to these rules shall be proposed by the City Manager to the City Council. Notice of proposed revisions and/or amendments shall be furnished to each recognized employee organization at least ten (10) days prior to consideration by City Council. The notice shall include the content of the proposed revision and/or amendment as well as the date, time and place on which it is to be heard by the City Council.

I-E. Department Rules

Departments may adopt Department Rules in order to supplement these rules further clarify procedures within that department. Implementation of any Departmental Rules must have prior approval of the City Manager and be consistent with the Personnel Rules. In cases of conflict between these Personnel Rules and Department Rules, the Personnel Rules will prevail.

I-F. Personnel Officer

The City Manager may appoint a Personnel Officer. The Personnel Officer shall be responsible for administration of the City Personnel System including all provisions for the California City Municipal Code and of these rules except as may be specifically reserved to the City Council or City Manager.

Nothing herein shall preclude the Personnel Officer (or designee) from recommending to the City Manager (or City Council) that any personnel function be performed under contract by a qualified person, agency, or organization under the guidance of State and Federal Labor Code Law.

I-G. Definitions

The following terms as used in these Personnel Rules and Regulations shall, unless the context clearly indicated otherwise, have the respective meanings herein set forth.

- 1) Appointment – The designation of a person by the Personnel Officer to become a City employee, signing of the proper forms to record the designation and acceptance by the person of the position and conditions as provided in these rules.
- 2) At Will Management Employee – Ad defined in the City Municipal Code. Management Employee who serves at the will of the City Manager or in case of City Manager, at the will of City Council.
- 3) Board – The five-member Personnel Board appointed by the City Council for the purpose of hearing employee appeals relative to disciplinary action. The Council may appoint itself as the Personnel Board.
- 4) Class – All positions sufficiently similar in duties, authority, responsibility, and working conditions to permit grouping under common title and the application with equity of common standards of selection, transfer, promotion, and salary.
- 5) Classified Service – All regular fulltime and regular part time positions except those designated in I-B of this section.
- 6) Continuous Service – The City paid service of a regular employee from the date of hire. Unpaid leave or disability leaves of absence are no counted as continuous service (except in cases of Military Leave.)
- 7) Demotion – The movement of an employee from one class to another class or range having a lower maximum rate of pay.
- 8) Domestic Partner – By State Definition – Two adults who have chosen to share one another's lives in committed relationship of mutual caring.

- 9) Eligible – A person whose name is on an employment list, promotional list, or re-employment list.
- 10) Emergency – An unforeseen occurrence which requires the absence of an employee, such as serious illness, accident, or injury to him/herself or a member of his/her immediate family as defined herein.
- 11) Employment List –
- a) Open-Competitive – A list of candidates who have qualified in an examination open to all qualified individuals and who are eligible for appointment.
 - b) Promotional – A list of candidates who have qualified in an examination open only to qualified City employees and who are eligible for appointment.
 - c) Re-employment – A list of former employees who have been laid off and who are eligible for re-employment in their former classification or in a comparable classification carrying the same or lower maximum rate of pay.
 - d) Reinstatement – A list of former employees who resigned from the Classified Service in good standing and who are eligible for reinstatement of their former classification or to a comparable classification carrying the same or lower maximum rate of pay.
- 12) Exempt Employee – Management, professional, or administrative employee that is exempt from overtime based on Fair Labor Standard Act guidelines and approved by City Council.
- 13) Fulltime Position – A position the incumbent to work forty (40) or more hours per week.
- 14) Immediate Family – Employee's Spouse (including domestic partner), parents (including step-parents), children (including step-children, foster children, and domestic partner's children), sisters, brothers, grandparents, grandchildren, mother-in-law, father-in-law. Other exceptions may apply.
- 15) Layoff – Termination of employment due to elimination of position due to lack of work or lack of available funding.
- 16) Leave of absence – Permission to be absent from work for a specified purpose, with the right to return before or upon the expiration of leave period.
- 17) Management Employee – Employee in supervisory capacity who may or may not qualify for FLSA exemption. Department Heads and Personnel Officer determine based on job title and position requirements.

- 18) Meet and confer Unit – A representational unit established according to the California City Municipal Code.
- 19) Miscellaneous Employees – An employee not defined as a safety or management employee for the purpose of meet and confer
- 20) Part-Time Employee – A position not requiring the incumbent to work forty (40) hours per week. Employees working less than one thousand (1,000) hours per year are excluded from the classified service, serve at the will of Personnel Officer, and may be terminated without cause or without hearing or right of appeal
- 21) Personnel Officer – The City Manager or the City Manager's appointed representative.
- 22) Position – A combination of duties assigned to be performed by one person.
- 23) Probationary Employee – An employee who regular status is contingent upon successful completion of prescribed period of observation to determine his/her ability to perform the duties of the position.
- 24) Probationary Period – A working test period during which an employee is required to demonstrate his/her ability to perform the duties of the position and is subject to termination without a cause.
- 25) Promotion – The movement of an employee from one position to another position with higher maximum rate of pay.
- 26) Promotional Probation – The period during which an employee who has received a promotion may be release and returned to the position from which he/she was promoted.
- 27) Regular Employee – An employee who has completed the probationary period in his/her position and is occupying a position established on a continuing basis, as distinct from temporary employees who serve on a seasonal or intermittent basis.
- 28) Safety Employee – An employee of the Police or Fire Department is defined as a safety member by law (PERS law does not include Dispatcher, Animal Control Officer, Aviation Paramedic or Aviation Nurse as Safety Employee for retirement benefits only).
- 29) Seasonal Employee – An employee who is employed to fill positions in the Parks and Recreation program during the summer recreation season only (may include Groundskeepers during spring/summer months).
- 30) Suspension – An involuntary absence imposed by the Appointing Authority for disciplinary purposes or pending investigation of charges.

- 31) Temporary Employee – An employee in a position which is intended to be occupied on less than a year-round basis including but not limited to the following: to cover seasonal peak workloads; emergency extra workloads of limited duration; necessary vacation relief, paid sick leave or other situations including fluctuating staff. Ordinarily, such positions will not be authorized for more the 1,000 hours per year. Temporary employees are excluded from the Classified Service, serve at the will of Personnel Officer and may be terminated without cause or without hearing or right of appeal
- 32) Transfer – Change of an employee from one position to another position having the same maximum salary and similar duties and basic qualifications.
- 33) Vacancy – Any unfilled position in the Classified Service.
- 34) Year – The fiscal year unless otherwise specified.
- 35) Waiver – The voluntary relinquishment by and eligible of the right to consideration for appointment to a specific position.
- 36) Y-rate – The freezing of an employee's salary at a certain point when it exceeds the salary on the salary schedule for his/her position until the employee's salary matched the salary schedule.

Section II. City of California City
Organizational Chart

City Council

City Engineer
(Contract w/Company)

City Attorney –
Contract

City
Manager

City Clerk

Police
Chief

Fire
Chief

Finance
Director/
Asst. City
Manager

Public
Works
Director

Human
Resource
Specialist

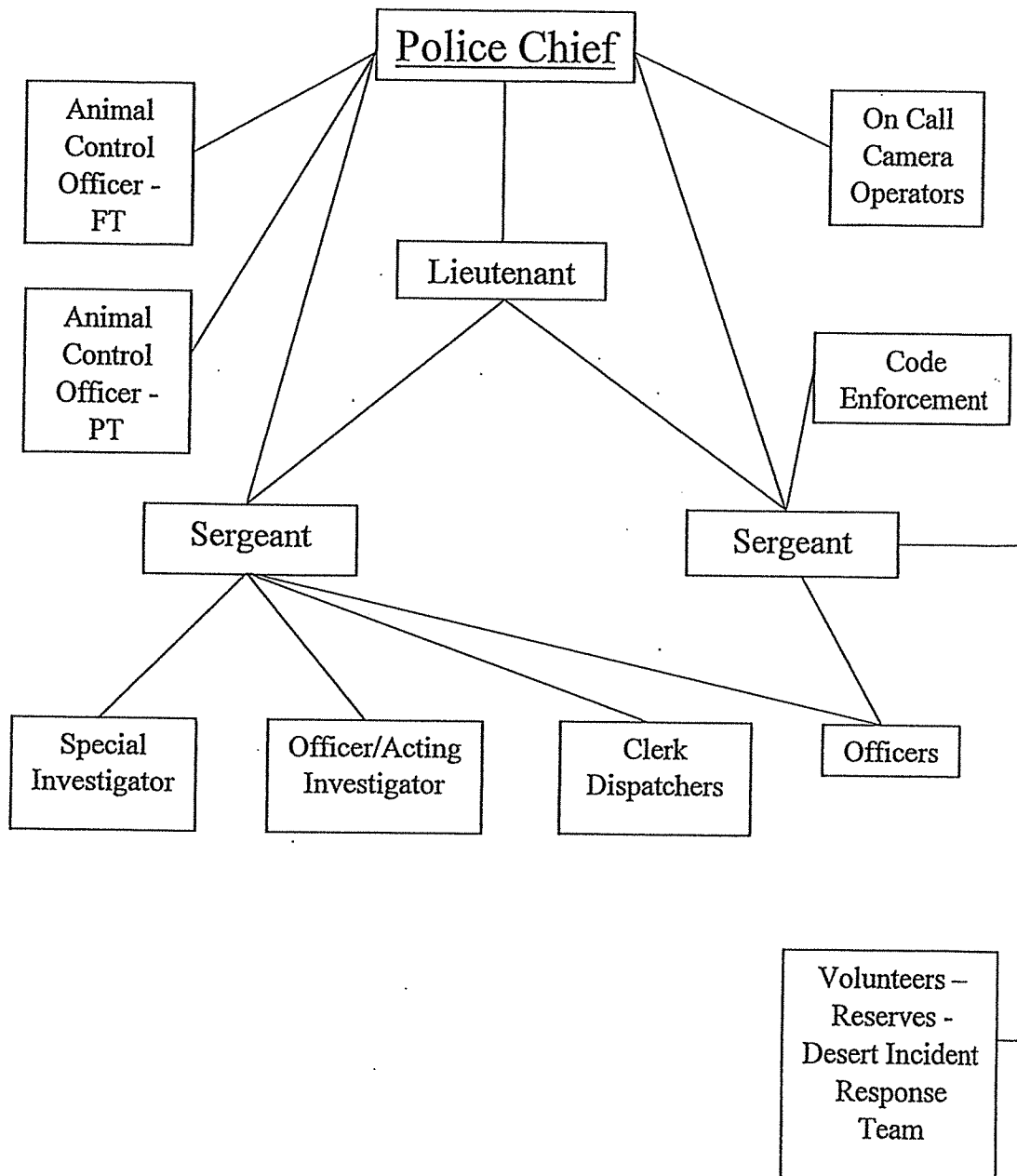
Admin.
Assistant

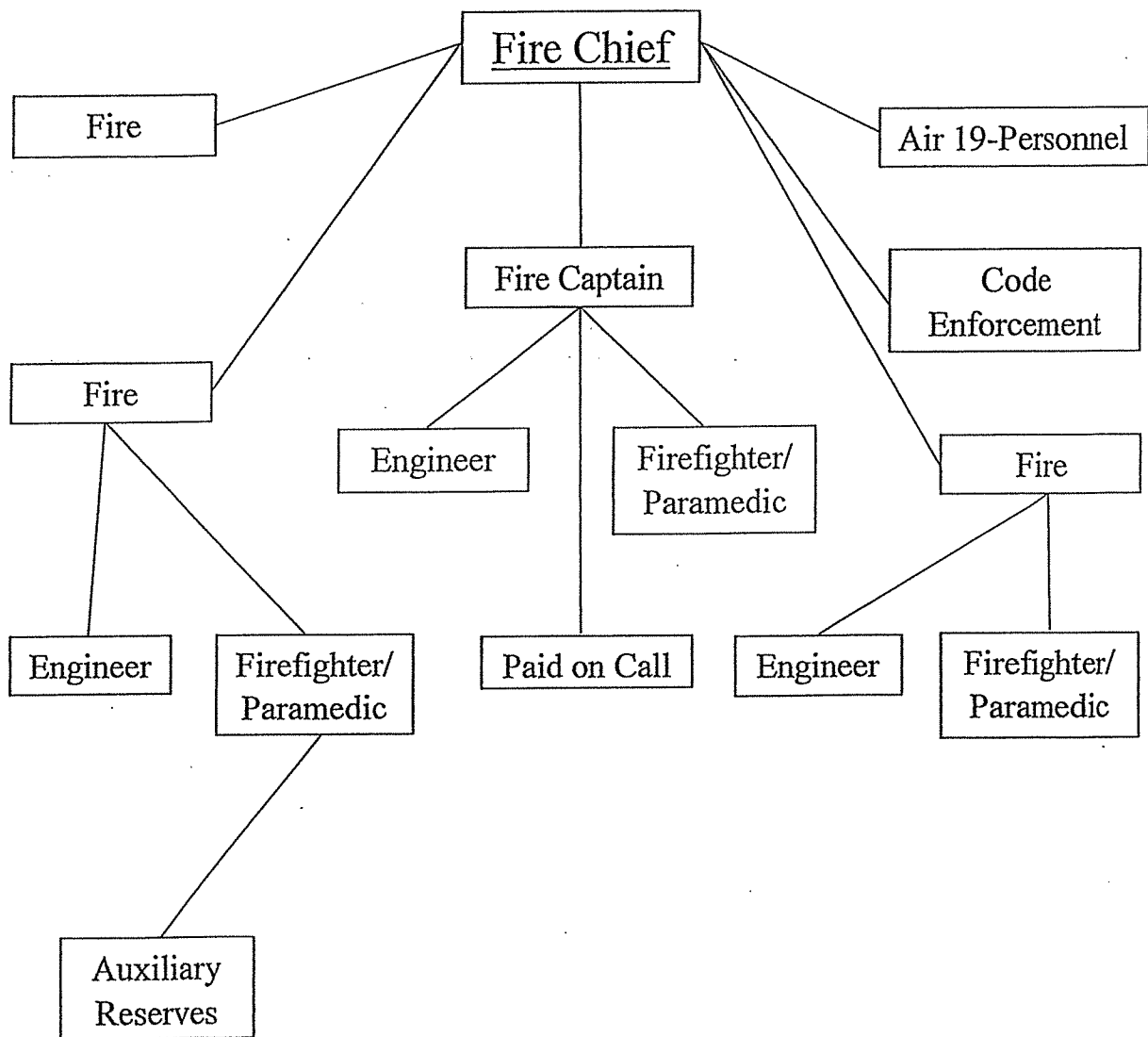
Economic
Development
Manager

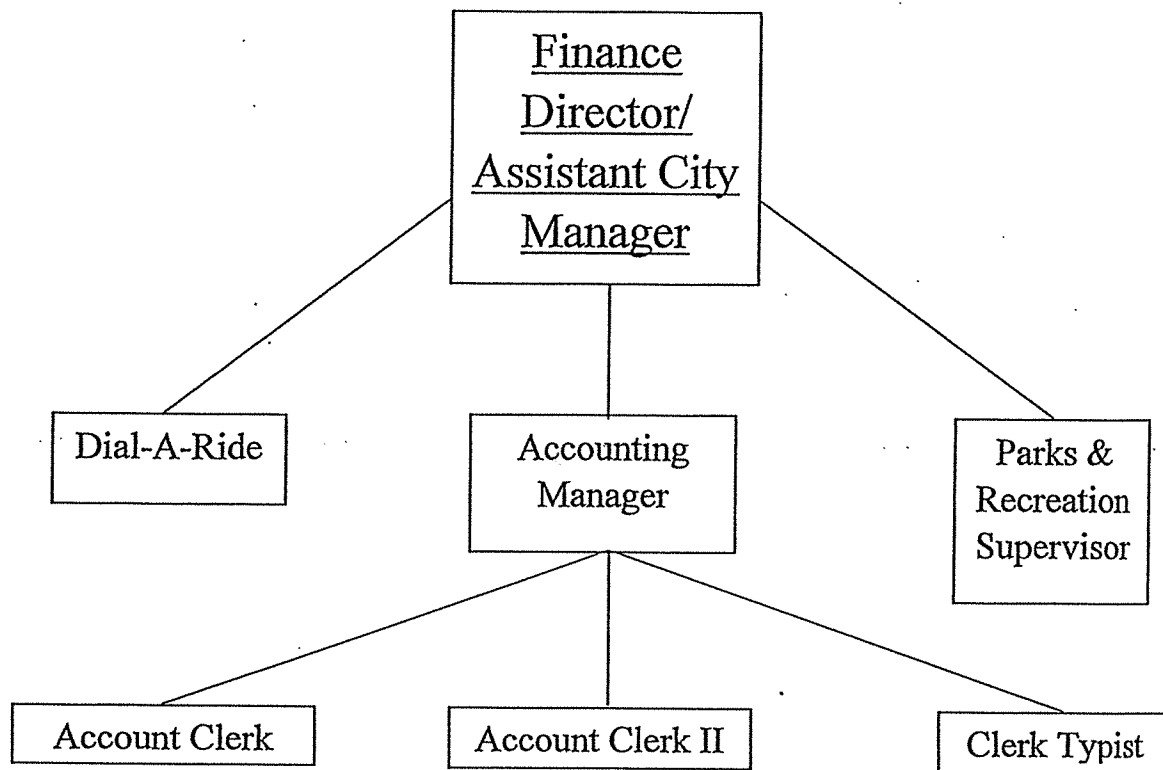
Land Use
Department
Manager

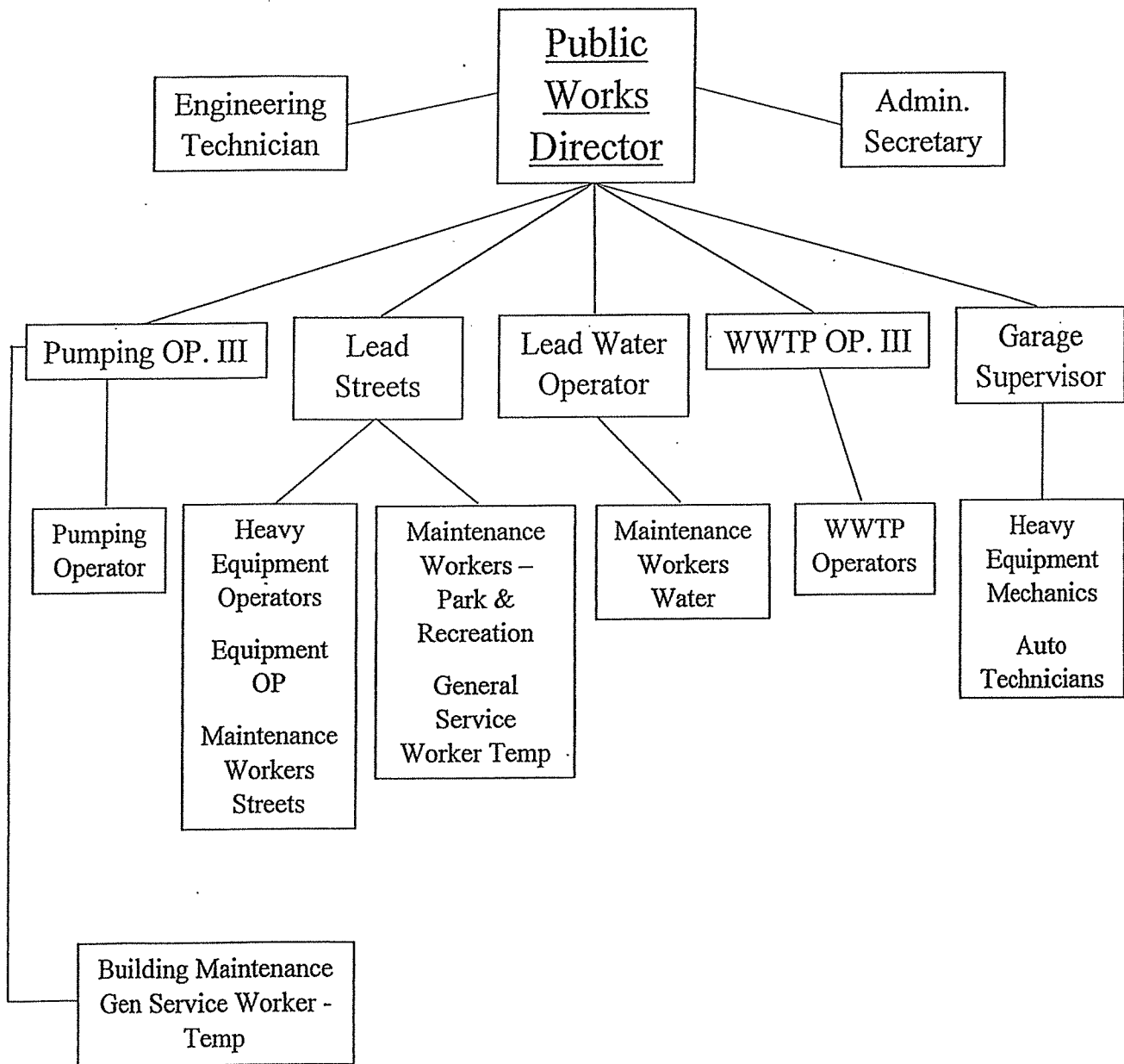
Airport
Manager

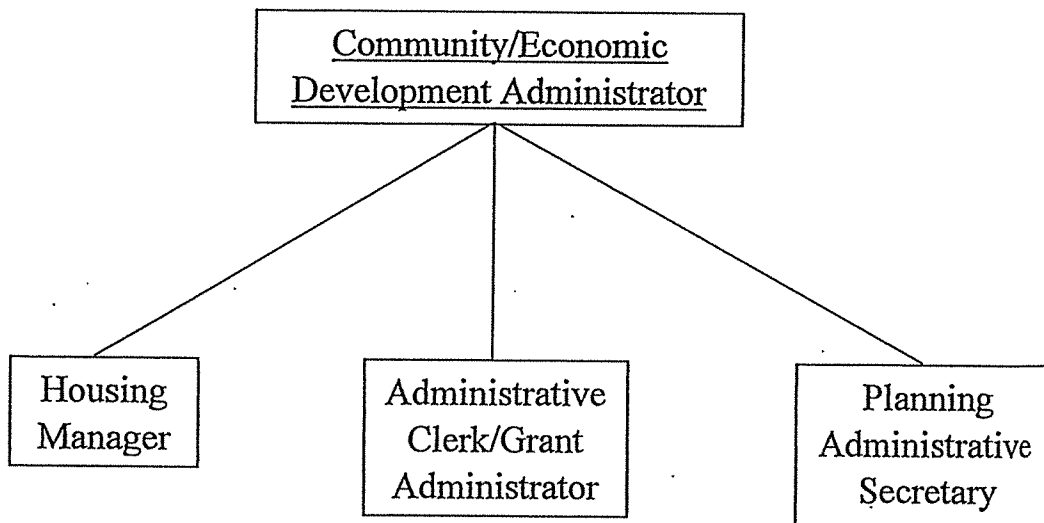
Parks &
Recreation
Supervisor

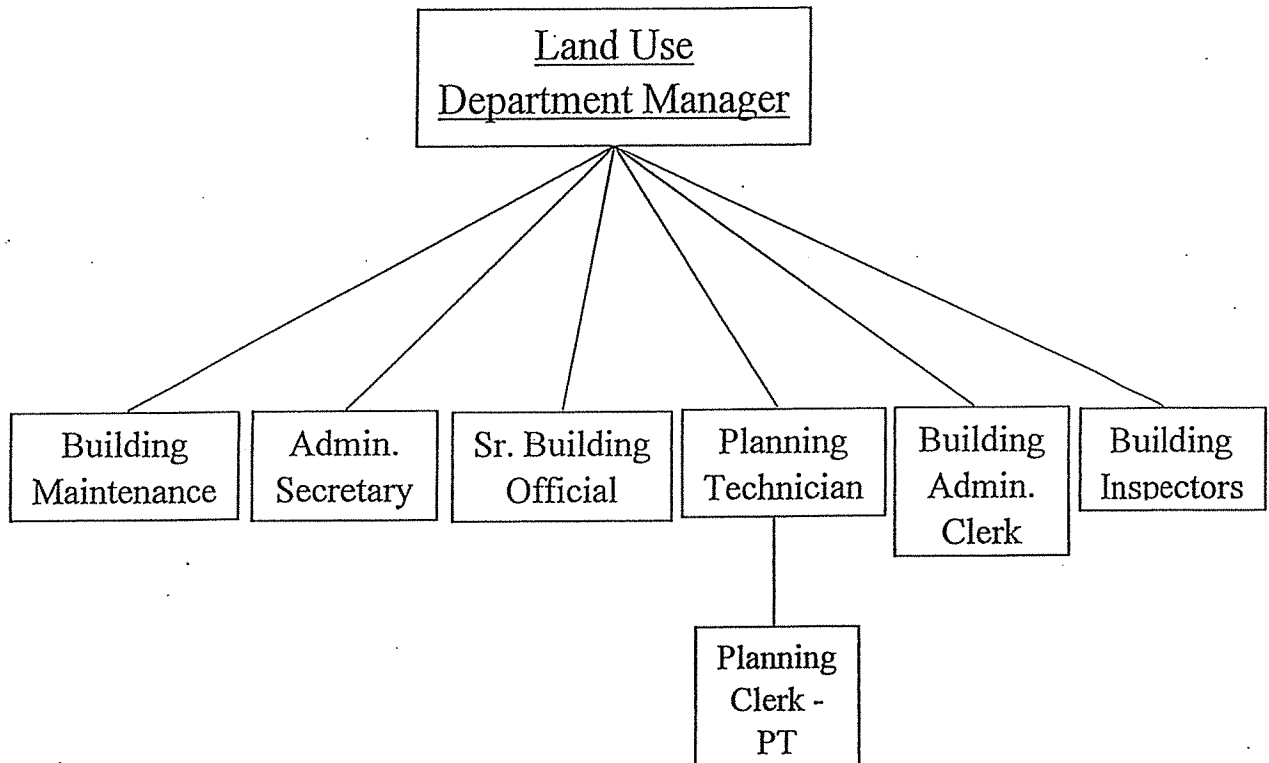


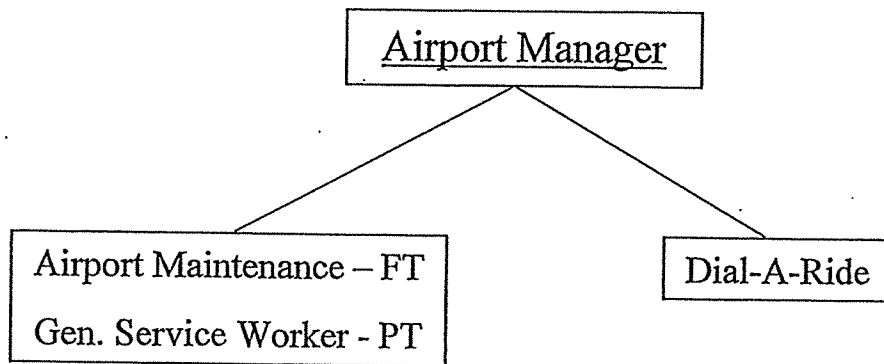


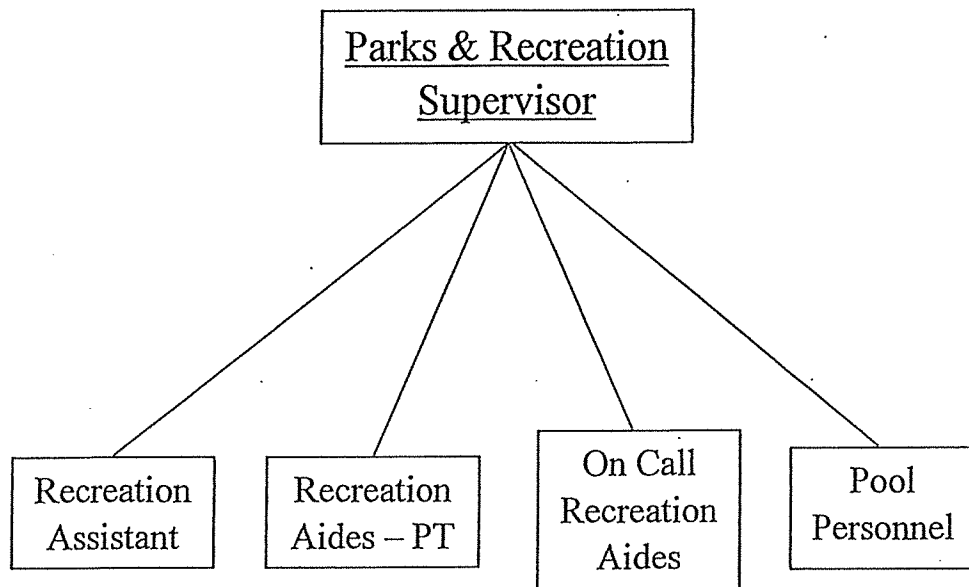












Section III. Employment Standards

III-A. Code of Ethics

Purpose

To provide a standard of ethical values, responsibility, and personal conduct for the guidance of all City employees.

To enhance the prestige and improve the public image of City employees.

To establish the fundamentals upon which evaluations of employee conduct and performance may be made most objectively.

Policy

1. There shall be no discrimination in any City activity because of disability, marital status, medical condition, race, religion, color, sex, sexual orientation, age, national origin or ancestry, or political affiliations.
2. As a recognized part of municipal government, every City employee must do everything within his/her ability to protect the public image of that government.
3. Each position in the City is one of public trust. Therefore, each employee must perform his/her duties in a manner which will bring honor and credit to the City, in accordance with the highest moral and ethical standards.
4. City employees shall not accept gifts from persons doing business or seeking to do business with the City or from persons regulated by the city.
5. Each employee must be ever minded of public trust in the use of manpower, property, and funds under his/her care and, by efficient operation and diligent economy, must conserve them.
6. Every City employee is expected to uphold the public interest as opposed to personal or group interest.
7. Every City employee has an obligation to the citizens, to the people elected representatives, to fellow employees, and to management to cooperate in accomplishing the goals of the City and his/her department and work unit.
8. Acceptance of the expressed will of the people is the responsibility of all City Employees.

9. Every employee should serve the public and fellow employees with efficiency, impartiality, and courtesy, so that our public and personnel relations will be continuously enhanced.
10. Each employee should willingly share any emergency work necessary to functions of his/her department so that public obligations will be fulfilled with maximum efficiency and with equitable distribution of the workload.
11. Each employee must adhere to the rules of work and performance established as standards for his/her position by the appropriate authority.
12. Violations of any of the provisions of this code should raise conscientious questions for the employee concerned as to whether voluntary resignation or other action is indicated to promote the best interest of the City.

III-B. Criminal Conviction

Any applicant who is convicted of a misdemeanor or felony may be rejected at the discretion of the Personnel Officer if it appears that job performance or public safety could be adversely affected because of the recency, frequency, and/or nature of the offense involved.

1. Narcotics – Anyone required by the State of California to register under the Health and Safety Code for narcotics offenses may be rejected at the discretion of the Personnel Officer, based upon the same criteria defined for felonies and misdemeanors.
2. Sex Offenses – Anyone required by the State of California to register under the Penal Code for sex offenses may be rejected at the discretion of the Personnel Officer, based upon the same criteria defined for felonies and misdemeanors.
3. Undesirable, Dishonorable, or Bad Conduct Military Discharges – Anyone who received such a discharge may be rejected at the discretion of the Personnel Officer based upon the same criteria defined for felonies and misdemeanors.

III-C. Citizenship

All applicants for City employment must be:

1. U.S. Citizens, or
2. Classified as resident aliens lawfully admitted into the U.S. for permanent residence in accordance with the Federal Immigration and Naturalization Act and must have their

possession an approved Alien Registration Receipt Card (all resident aliens have the legal right to work in the United States).

3. Classified as Non-immigrant Aliens who have the legal right to work in the U.S. under condition authorized by the Immigration and Naturalization Service.

III-D. Age Limits

1. Maximum Age – There is no maximum age for applicants for examination.
2. Minimum Age – Minimum age for applicants for most examination is set at 18, except for high school graduates who are 17.
3. Age Limits Exceptions –
 - a. A minimum age of 21 has been established for Police Officer positions.
 - b. Minimum age limit exception for seasonal positions is 15. Must provide work permit.
 - c. With the approval of the personnel officer and the advice of the Department Head, age limit modifications other than those listed may be made, based upon the requirements of the job and the available labor supply so long as they do not conflict with state or federal law.

III-F. Education

The City recognizes the value of continuing education for its employees and provides the following:

1. Eligibility – Any regular full time employee is eligible to request reimbursement for educational or training expenses as defined and provided for within this policy. All employees must satisfy the necessary prerequisites for enrollment in a course to be eligible for reimbursement for the City. The course should be courses that are job related, improve job or department, or related within the department for advancement.
2. Reimbursement – Applications for educational reimbursement must be obtained from the submitted to the Personnel Officer. Each application must be approved by the appropriate Department head and the City Manager or Personnel Officer by April 1 of year planning to attend in order to budget for expense. Amounts reimbursed are outlined in MOU's. Receipts are required for reimbursement.
3. Limitations – Reimbursement to employees for tuition and books will be made only upon successful completion of the course or program and only provided the educational

experience was undertaken at an approved or accredited agency or institution. Reimbursement is limited to \$1,000 per employee per year based upon Department Head and City Manager approval.

To qualify for reimbursement, the Personnel Officer or his/her designee shall have (upon recommendation by the department Head) previously approved the subject matter of the courses and the agency or institution which provides the courses. This is limited to Community College, State College or Certificate programs based on Department Head Recommendation and approval.

The applicant must not be receiving tuition payment or refunds for fees from other sources when requesting the same from the City, unless it is a specified amount which does not cover tuition, whereby the City may make up the difference for full tuition.

4. Documentation – Upon completion of the course with a passing grade or if no grade is given, proof that he/she has satisfactorily completed the course must be presented. Failure to attain a passing grade or satisfactory completion will result in denial of the employee's request for reimbursement for any educational claim for reimbursement.

Receipts showing tuition and fee payments, and payments for text materials must be furnished with the reimbursement request to the Department Head and forwarded to the Personnel Officer for approval.

5. In-Service Training – The City will provide in service training for employees prior to their operation of equipment.

III-F. Appointment of Relatives

1. Purpose

This policy is designed to reasonably regulate, for reasons of supervision, safety, security, morale, and productivity, the employment of spouses, specified family members or relatives of City employees, executive managers, members of the City Council and the City Manager

The implementation of this Policy would limit the hiring of an employee with an existing relationship to a person already employed by the City. This Policy would require that each department head conduct an individualized assessment of the particular work situation and take appropriate action to ensure that a new or existing relationship between co-workers does not constitute a potentially adverse impact on the department.

2. Policy

a) Guidelines for Hiring New Employees

- 1) The City of California City may reasonably regulate, condition, or prohibit the employment of a applicant for a full-time position when he or she has a spouse, family member or relative employed or holding office with the city.
- 2) Generally, the City discourages the hiring of a person related to someone within the same department. However, the City recognizes that labor requirements and skill for a given job may preclude the City from attracting a sufficient pool of talent to meet the mission of a given department. Accordingly, this policy establishes the process for which a member may be retained by the City if they are related to an existing city employee.
- 3) No employee will be hired or appointed to a position where he or she would directly supervise, or be directly supervised by, his or her spouse, family member or relative.
- 4) In no case may an employee participate directly or indirectly in the recruitment or selection process for a position for which a spouse, family member or relative has filed and employment application.
- 5) No qualified applicant may be denied the right to file and application for employment and compete in the examination process. Following examination, if the applicant is successfully certified as eligible, he or she may be employed in a department, division, or office in which his or her spouse, family member or relative is already employed, only if the department head, in consultation with the City Manager and Human Resources Manager, has determined that an adverse impact will not occur.
- 6) When an eligible candidate is refused appointment by virtue of this Policy, the name of the candidate shall remain on the eligibility list for openings in the same classification, as otherwise provided in this Policy, where no spouse, family member or relative of the candidate is employed, supervised by, or supervising the vacant position.

b) Guidelines for Tenured Employees

- 1) It is recognized that City employees may become related during their tenure with the City, for example, in the case of two employees getting married. When a tenured employee has a change of status through marriage or otherwise, the implementation of this Policy requires the

department head, in consultation with the City Manager and Human Resources Manager, to conduct a case-by-case consideration and individualized assessment of the particular work situation. The assessment must be accomplished within 90 days of notification of the marriage or change in status. The relationship shall not be deemed a "prohibited relationship" unless the employees' mutual employment creates a potential conflict of interest or has a potentially adverse impact on supervision, safety, security, moral or productivity. Under no circumstances will an employee be allowed to remain in a direct supervisory capacity over his or her spouse, family member or relative.

- 2) The department head has the express right to reasonably monitor and regulate employee performance and, if at any time within one year he or she determines that a "prohibited relationship" exists, reasonable efforts may be made to regulate, transfer, condition, or assign job duties so as to minimize problems of supervision, safety, security, morale or productivity. An attempt will be made to transfer one of the employees to a similar position that would not be in violation of this Policy. The transfer will be granted provided the employee qualifies and there is an opening to be filled. There can be no guarantee that the new position will be within the same classification or at the same salary level.
- 3) If the situation cannot be resolved in this manner, one of the employees must separate from City employment. If one of the employees does not voluntarily resign, the employee with lesser seniority will be discharged. Reduction in pay or loss of employment pursuant to this Policy shall not be deemed to be disciplinary action. The City will do everything in its power to avoid this action.

3. Definitions

a) "Family Member or Relative"

For the purposes of this policy, "family member" shall be defined as spouse, domestic partner, parents, sibling, child, grandparent, aunt, uncle, niece, nephew, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, step-parent, step-sibling, step-child, grandchild, or dependent.

- #### b) For the purposes of this policy, "direct supervision" refers both an employee's direct supervisor responsible for completing the performance evaluations on the employee, and to any intermediate lead worker, crew leader, etc. between the employee and his/her immediate supervisor.

4. Applicability

Anyone employed as a full-time or part-time City of California City employee prior to the effective date of this Policy who is related to another employee at the time of the adoption of this Policy may continue in their position if their department head, in consultation with the City Manager and Human Resources Manager, has determined that continued employment would not create a conflict of interest or have a potentially adverse impact on supervision, safety, security, or morale or productivity. However,

under no circumstances will and employee directly supervise or be supervised by a spouse, family member or relative.

III-G. Employee Service Awards

Employees shall receive service awards for years of service in five-year increments, beginning at 5 years. The award shall be a pin bearing a likeness off the City seal, and a certificate of appreciation. At 25 years, employees will receive pin, certificate, and a gift. Awards will be presented to employees at a City function such as an awards banquet, City Council meeting, or a meeting of city officials and employees.

Section IV. Vacancy

Announcements/Examination/Selection Procedures

IV-A. Vacancy Announcements and Applications

1. Vacancy Announcements

- a) Career opportunities are provided to all employees through promotion, transfer and other job changes. Job postings communicated to employees of the availability of job for which they may apply are based on their qualifications, including education, skills, work experience, past performance and attendance.
- b) When a vacancy occurs in a Classified Field, or a new position is created, it is the policy of the City to recruit from internal applicants first. Said internal applicant must meet the academic and experience qualification for the position(s). The interested employee must submit a City approved application along with a written request to the Human Resource Department stating the desire to be considered for the available position. Announced positions within the City of California City will be posted in City Hall and at each department for a minimum of five days.
- c) At the Human Resource Director's discretion with the Department Heads input, the City of California City may choose to advertise outside or fill with a temporary employee. The position will be posted in at least one local newspaper following the five days of inside internal recruitment.
- d) If the Human Resource Department has a list of qualified personnel either from part time or existing testing list, the department does not have to place notice of open positions. This list can only be used for 12 months.
- e) Announcements will specify the job title, the nature of work to be performed, minimum requirements of the job, salary, and department.

2. Application Forms

All applications for employment must be made on the official, standard forms furnished by the Personnel Officer. In order to be accepted, applications must be submitted by the official closing date of the filing period, be complete, and bear an original signature of

the applicant. Applications received outside of regular posting period will be held for 6 months in Personnel Office.

3. Application Closing Date

The Personnel Officer and Department Head may establish prior to announcement of the vacancy, the closing date for applications to be accepted for the open position. The closing date shall be clearly stated in the job announcement. The Personnel Officer may, however, extend or reopen the application period as recruitment needs require, providing that the notice is immediately posted.

4. Reducing and Excessive Number of Applicants on Open Examinations

When the Personnel Officer determines that processing large numbers of applicants would not be administratively practical, or in the best interests of the City because of the amount of time or expense required to administer the examination, or other relevant test Administration factors, screening may be used as an applicant reduction technique.

IV-B. Employment Examinations

1. Types of Examinations – Prior to the distribution of any examination announcement, the Personnel Officer, upon the advice of the Department Head (or designee) shall determine whether the examination is to be administered on an open-competitive basis and/or on a promotional basis.
2. Open- Competitive Examination – When an open-competitive examination is to be used, applications may be accepted from any qualified individual.
3. Promotional Examinations – Promotional examinations shall be open only to those regular or probationary employees who meet the minimum qualifications for the position. In order to be eligible for a promotion examination, an applicant must meet the minimum qualifications for the position, as indicated in the job announcement, and be a current City employee or currently on a reemployment list.
4. Examination Techniques – The Personnel Officer shall adopt examinations which are impartial and related to the primary task of the job classification. The examination for a given position may include one or more of the following components.
 - a) A written test measuring the candidate's job knowledge.
 - b) An Evaluation of each application accepted using objective and standard criteria to measure the candidate's qualifications in terms of training and experience.
 - c) A performance test, whereby candidates demonstrate the degree of job knowledge and ability possessed.
 - d) A physical agility test where by candidates demonstrate their physical capacity to perform a task or series of tasks directly related to the job.
 - e) A personal interview designed to evaluate the candidate's personal characteristics, background, and job knowledge.

- f) Any other examination which, in the judgement of the Personnel Officer, is necessary to evaluate the candidate's capacity to perform the job tasks.
5. Conduct of Examinations – It shall be the responsibility of the Personnel Officer to assure that the examination process is conducted in an objective, timely and efficient manner. The Personnel Officer may contract with any competent individual, organization, or agency for preparation and/or administration of given examination or portion thereof.
- a) Examination Admittance – The personnel Officer may refuse to admit and applicant to an examination if testing has started
 - b) Candidate Conduct – During an examination, candidate behavior which interferes with other candidates or is dishonest shall be cause for removal and disqualification for the examination.
 - c) Re-Examination Eligibility – No applicant who has taken a test shall be permitted to reapply for the same examination for the same classification within six (6) months from the date of previous application for that examination. The Personnel Officer may reduce or extend this six month reapplication limit on an examination-by-examination basis, depending upon the number of qualified applicants for a vacancy.
 - d) Examination Disqualification – All candidates must meet the minimum employment standards as stated on the vacancy announcement. If, at any time during the examination process, it is determined that a candidate does not meet the minimum qualifications, he/she will be disqualified from further competition in the examination.
6. Notification of Examination Results – Following the examination process, all candidates shall be advised of their satisfactory completion or failure.
7. Review of Written Examinations – Candidates may be allowed to review their own examination results at the discretion of the Personnel Officer.
8. Examination Materials – All examination materials shall remain confidential and no copying of questions or answers from any paper made available for inspection shall be permitted. Any candidate violating this provision is subject to disqualification from the examination, disbarment from future examinations and, on promotional examinations to disciplinary action.
9. Examination Records – Applications and related examination records shall be retained for two years from the date of the examination, or for the life of the employment list, whichever is applicable. Applications and examination records of appointees may be retained for longer period as determined by the Personnel Officer.
10. Veteran's Credit will apply to all applicants based on Human Resources Policy and Procedure guidelines and State and Federal Laws.

11. Background Investigations: Background investigations will be performed on Police, Fire, Water, Waste Water, Engineering and other critical positions (Per California Public Resources Code 5164, Park and Recreation Supervisory positions will have a special attachment to the application in regards to criminal history-must be completed before application may be considered). By law, the prospective employee must be given notification of the background check, sign a waiver, and receive the name and phone number of the company who will provide the Consumer Report only (within 3 days of deciding to investigate the applicants background). If it is done internally, notice must also be given up. After the report is received, a copy must be given to the applicant within 7 days of receipt, Exceptions for this are in the Police and Fire Departments. Police and Fire departments will perform their own investigations (with Worker's Compensation information being obtained via the Human Resource Office) but must follow the laws for these checks as laid out by the State of California. Other background checks will be done by the Human Resources Office. The Human Resources Office will handle personal and employment references with Driver's Records Search, Credit, Worker's Compensation, and criminal and civil filings. Fingerprints will also be taken for all applicable employees. If the State of California or Federal government mandates more extensive background of prospective employees, these laws will be followed.

IV-C. Suspended Competition When a Position is Upgraded

When a reclassification has upgraded a position, or when a new classification has been created, with approval of the City Manager, competition may be suspended provided that the incumbent meets the qualifications of the reclassification or upgrade

IV-D. Eligibility Lists

1. Placement on Lists – Candidates who successfully complete all components of the examination shall be placed, from the highest to the lowest score, on the appropriate eligibility list. In the event two or more candidates receive the identical final average score, the date and time on which each candidate's application was filed shall be applied as the determining factor.
2. Duration of Lists – Open-competitive and promotional list shall remain in effect for six (6) months unless exhausted or abolished within that period as provided below. The Personnel Officer or Department Head may extend any such list for up to twelve (12) months. The effective date of a list shall be that date on which it was approved for posting by the Personnel Officer.
3. Abolition of List – The Personnel Officer or Department Head may abolish any eligibility list which has fewer than three (3) eligible's on it.

IV-E Certification of Eligibles and Appointments

1. Certification of Eligible's – When a request by a Department Head to fill a vacant position in the Classified Service has been approved by the Personnel Officer, he/she shall forward to the Department Head and eligibility list for appointment. The appointment shall be made by the Personnel Officer, following consultation with the Department Head.
2. Regular Appointments – The Department Head requesting to fill a vacant position shall be permitted to select from any of the top three eligible candidates on the eligibility list. The appointment shall be made by the Personnel Officer, following consultation with the Department Head.
3. Temporary Appointments – The City Manager may authorize temporary appointments to meet short term employment needs such as periods of peak workload, illness, or pending the establishment of a new eligible list.
These appointments may be made from an appropriate employment list or from among other qualified persons where there is no active list or where there are insufficient eligible's directly available for appointment.

Unless extended by the City Manager, temporary employees shall not be employed for more than one thousand (1,000) hours in a twelve (12) month period.

IV-F. Seasonal Employees

1. Terminated seasonal employees shall have their names placed on the seasonal re-employment list for the class in which they served if:
 - a) Their termination was caused by lack of work and
 - b) Their service was satisfactory as shown by the performance report for their most recent season of service. A seasonal employee who resigns, or is terminated for disciplinary reasons, shall not be eligible for placement on the seasonal re-employment list.
2. Upon receipt of a seasonal termination of a seasonal employee, the Personnel Officer shall:
 - a) Check the employee's performance rating submitted by the Department Head with the Payroll Change request.
 - b) If the rating is at least satisfactory, an availability questionnaire will be sent to the employee to determine whether he/she would like to be placed on an availability list for the following season.
 - c) If the rating is less than satisfactory, the employee's supervisor shall have advised him/her that he/she is not eligible for placement on the seasonal re-employment list.

- d) Seasonal eligible's who fail to work for two consecutive seasons shall automatically be removed from the list.
- 3. The Department Head has the authority to place a seasonal employee at a step within the salary range commensurate with prior experience and training.

Section V. Probationary Periods and Standards of Performance

V-A. Probation

1. New Probation

- a) Fulltime Classified Non-Safety Employees – A new or re-employed classified non-safety employee, employed in a regular position shall be placed on new probation for six (6) months.
- b) Fulltime Safety Employees – A new or re-employed safety employee employed in a regular position shall be placed on new probation for twelve (12) months from date of appointment. Police Trainee or Fire Fighter Trainee end probation 12 months after appointment to Police Officer or Fire Fighter.
- c) Part-Time Employees – A new or re-employed part-time position within the classified service shall be placed on new probation for one thousand (1,000) hours exclusive of overtime or twelve (12) months, whichever is longer.

- 2. Promotional Probation – A full or part-time classified employee who is promoted, except on a provisional appointment, shall be placed on promotional probation. Fulltime miscellaneous employees shall serve a promotional probationary period of six (6) months. A part-time classified employee shall serve a promotional probationary period of one thousand (1,000) paid hours, exclusive of overtime. Safety employees shall serve a promotional probationary period of one (1) year.

3. Failure of Probation

- a) New Probation – An employee on new probation may be released at the sole discretion of the Personnel Officer, upon advice of the Department Head, at any time without right of appeal or hearing.
- b) Promotional Probation – An employee promoted to another position may be released at the sole discretion of the Personnel Officer, upon advice of the Department Head, within sixty (60) calendar days. He/she return to the position from which he/she was promoted without right of appeal or hearing.

V-B. Extension of Probation

- 1. Regular Promotional Probation – Should a Department Head determine that a longer period of probation is required; the employee will be informed, in writing, of the amount of extension and the reasons therefore. Such extension shall not exceed six (6) months.

2. Leave of Absence – The granting of an official or military leave of absence shall cause the employee's probation period to be extended by the length of the official leave or

by the length of the military leave in excess of fifteen (15) calendar days. If the employee is on promotional probation, the extended probation period resulting from the official or military leave of absence shall end with the first day of the pay period after said extended date. An employee who is suspended shall have his/her probation extended by length of suspension.

V-C. Service Credit

When an employee's record consists of a combination of full and part-time service in a regular position, part-time service shall be applied proportionately by using total hours worked to appropriate fulltime requirements. For Purposes of this section, one thousand forty (1,040) hours shall equal six (6) months.

V-D. Performance Evaluation

1. The city shall maintain a system of employee performance evaluations designed to give a fair appraisal of the quantity and quality of work performed by an employee. Evaluations shall be prepared and recorded in the employee's personnel file for all regular full and part-time employees at least once each year; and in addition, for employees on probationary status, performance shall be reviewed at least once near the middle of the probation period. Seasonal employees shall be evaluated on or before the end of the season.
2. All written performance evaluations must be completed by the employee's immediate supervisor, reviewed by the next higher-level supervisor, and approved by the Department Head before giving to employee.
3. The employee's immediate supervisor shall discuss with the employee the specific performance ratings prior to such ratings being made part of the employee's personnel file. The employee shall have the right to file a written response which shall become part of the evaluation and shall be placed in the employee's personnel file.
4. Supplemental Performance Reports may be completed by supervisors to evaluate employee performance between regular rating periods.
 - a) A Supplemental Performance Report may be completed by supervisors to make an official record (between regular ratings) of employee performance which has improved or deteriorated significantly from the previous report.
 - b) A Supplemental Performance Report may also be completed by supervisors to make an official record of the performance of an employee who is vacating his/her position prior to the conclusion of the regular rating period.

5. When a performance evaluation is recorded in the personnel file of an employee, a copy of the evaluation, together with any attachment relating thereto, shall be given to the employee.

V-E. Transfers, Demotions, and Status Changes

It is the policy of the City to provide a transfer procedure, which allows both management and employees reasonable flexibility in work assignments.

1. The transfer procedure shall not be used to evade supervisory for disciplining an unsatisfactory worker.
2. Interdepartmental transfers, position transfers, demotion, or status changes must be recommended by the Department Head and approved by the City Manager.
3. Transfers will be approved for probationary employees, only if the receiving Department Head is fully informed of the probationary period remaining.
4. Requests for transfer and demotion will be approved only if the employee meets the current minimum employment requirements of the position to which a transfer or demotion is desired.
5. To be eligible for a transfer or to request a status change which would increase an employee's rights or benefits, employees must meet the following criteria:
 - a) The employee's current performance rating must be "meets expectations" or better, and
 - b) The employee must have been employed with the City in his/her present position for at least six (6) months

V-F. Outside Employment

The city does not wish to impose unnecessary restraints on the personal lives of City employees. However, some standards are necessary in order to prevent conflicts that may occur between employees outside employment activities and their city work. Existing rules and procedures provide for appropriate disciplinary action in the event outside employment activities begin to impact on employee's efficiency, sick leave usage, or other performance criteria. In addition, City employees shall not accept employment outside City service or participate actively in the management or operation of any business or enterprise that:

1. Is incompatible with their City employment or would result in a conflict of interest with their responsibilities and obligations to the City, or
2. Could result in criticism or discredit to the City, or

3. Could prolong recovery while on injury, industrial, or sick leave or while on light duty assignment for the City.

The City Manager or Department Head may formulate and adopt reasonable standards and procedures to ensure conformance to this policy.

Section VI. Vacation and Leave Provisions

VI-A. Holidays

The City observes thirteen (13) holidays: New Year's Day, Martin Luther King Jr. Birthday, Presidents Day, Cesar Chavez Day, Memorial Day, Independence Day, Labor Day Admission Day, Columbus Day, Thanksgiving Day & the day after Thanksgiving Day, Christmas Eve & Christmas Day. Three (3) of the above holidays are considered floating holidays (Martin Luther King Jr. Birthday, Cesar Chavez Day, & Columbus Day). City services remain open during Floating Holidays. See applicable Memorandum of Understanding for specific rules on Floating Holidays.

The City Council may designate any other days as City holidays.

VI-B. Vacation

1. The specific rates at which vacation leave are to be accrued shall be as set forth in the applicable Memoranda of Understanding or in the case of management personnel, by Council action.
2. During the first six (6) months of service under original appointment, employees may accrue vacation credits, but may not use them. Department Head or Personnel Officer may grant use under special circumstances.
3. Subject to approval of the Personnel Officer, the Department Head and employee shall schedule the times at which vacation leave is to be taken, with due consideration being given to the desires of the employee and operational needs of the department. Use of vacation leave in less than one-day increments shall be discouraged.
4. Maximum Vacation Accrual is outlined in applicable Memorandum of Understanding. In case of non-represented Management personnel maximum accrual is 160 hours by June 30 of each year.
5. When a City holiday falls during the period of an employee's vacation leave, that day shall not be charged against the employee's vacation accrual.
6. When an illness or injury necessitates hospitalization of an employee during his/her vacation leave, the days of hospitalization shall not be charged against the employee's vacation accrual until his/her accumulated sick leave has been used.

7. Employees in Classified Service shall, upon separation, be entitled to receive payment at their current base rate of pay for all vacation earned, but not taken as of the effective date of separation.
8. Vacation shall not accrue during leave of absence without pay in excess of thirty (30) days of except for temporary military leave for active training as defined by Section 395 of the State Military and Veterans Code.

VI-C. Absence Without Authorization

When an employee has been absent without authorization from work for more than three (3) days, and in the opinion of the Department Head, the employee has abandoned his/her position, the Department Head shall notify the City Manager or a designee. The City Manager, or a designee, shall notify the employee that the City has determined he/she has abandoned his/her position and that the employee has five (5) working days upon receipt of the notice to contact the City regarding his/her intent to return to work. Such notice shall be in writing and sent by certified mail or personal service to the last address listed in the employee's personnel records.

Abandonment of position may include, but is not limited to:

1. When an employee fails to return to his/her employment upon conclusion of any authorized leave of absence;
2. When an employee fails to properly notify his/her immediate supervisor by telephone or in writing of absence due to sickness or injury;
3. When an employee fails to keep his/her immediate supervisor apprised in disability status on a daily basis, unless otherwise directed by his/her supervisor.
4. When an employee fails to respond within five (5) working days to the notice of abandonment of position, the employee may be considered to have abandoned his/her position of employment with the City. Abandonment of the position shall constitute an automatic resignation from the City service

In the event abandonment is caused by accident or illness, the employee shall not be deemed to have abandoned his/her position if:

1. The employee notifies his/her Department Head of causes the Department Head to be notified of his/her condition as soon as he/she is physically able to do so, and
2. The employee presents his/her Department Head with adequate evidence that accident or illness caused the absence and evidence is presented prior to reporting to work.

VI-D. Authorization for Leave

Any leave of absence in excess of five days (with the exception of emergency leave as defined in section I-8) must be requested in writing by the employee and approved prior to being taken. The

request shall include the date on which the leave is to begin, the anticipated date of return, and the reasons' for the leave. If the leave is for medical reasons, a doctor's verification should be attached to the request. The Department Head shall approve or deny the request and forward a copy to the Personnel Officer.

If the leave is to be extended beyond the requested time, the Personnel Office must be notified at least five (5) days prior expiration of leave request.

VI-E. Sick Leave

1. Accrual – Sick leave is accrued at the rate of 8 hours per month.
2. Notification of Illness – An employee may be required to furnish a certification issued by a licensed physician or registered nurse, or other satisfactory evidence of illness, injury, medical condition or medical or dental office calls when the employee has been under the care of a physician. Such evidence may also be required if there is reason to believe an employee is or will be abusing sick leave. In such a case the employee shall be given advance written notice stating the reason for the requirement. In addition, evidence may be requested when an absence for personal illness or injury exceeds five (5) days. Any employee who is absent because of illness or disability shall notify his/her supervisor within the first hour (except in case of an emergency) on each scheduled workday after becoming ill or disabled.
3. Permitted Uses of Sick Leave – Sick leave may be applied to:
 - a) An absence necessitated by an employee or employee's immediate family member's personal illness, injury, or disability.
 - b) Medical and dental office appointments for an employee and his/her immediate family.
 - c) Absence due to exposure to contagious disease when quarantine is imposed by health authorities or when it is determined by a physician that the presence of the employee on duty would endanger the health of others.
 - d) Emergency leave with pay may be approved by the Department Head in the event of serious illness of a member of the employee's immediate family (as defined in Section I.G). The use of sick leave under this section shall be limited to a maximum of five (5) days. This leave may be in addition to the Family Death Leave.
4. Illness While on Paid Vacation – Illness while on paid vacation will be charged to sick leave rather than vacation only under the following conditions:
 - a) When illness or injury necessitates hospitalization.
 - b) Within four (4) calendar days of returning to work, the employee must provide his/her supervisor with satisfactory medical evidence of the illness or injury. The department shall be under no obligation to extend the vacation beyond the original scheduled vacation ending date.

5. Minimum Use – The minimum charge to an employee's sick leave account shall be one (1) hour and additional absences over one (1) hour shall be charged to the nearest quarter.
6. Holidays Not Counted – Observed holidays occurring during sick leave shall not be counted as a day of sick leave.
7. Sick Leave Upon Termination
 - a) Upon separation of an employee by his/her choice, employee with up to seven (7) year consecutive service shall be entitled to pay equal to one-half (1/2) his/her accumulated sick leave. Employee with over seven (7) years consecutive service shall be entitled to pay equal to 100% of his/her accumulated sick leave.
 - b) Upon termination of an employee for cause by the City, as per the discipline procedures, an employee with five (5) year or more of permanent service with the City shall be entitled to time equal to one-half (1/2) of his/her accumulated sick leave.
 - c) Upon termination of an employee for cause by the City, an employee with less than five (5) years of permanent service with the City shall not be entitled to any compensation for accrued sick leave.
8. Job Related Illness/Injury – When an illness or injury is job-related and covered by Workers Compensation, accrued sick leave and vacation credits shall be applied to make up the difference between state benefits and full base salary. This provision shall not apply to Public Safety employees covered under Section 4850 of the State Labor Code.
9. Accrual During Leave of Absence – Sick leave shall not accrue during leave of absence without pay in excess of thirty (30) days except for a temporary military leave for active training as defined by Section 395 of the State Military and Veterans Code.
10. Medical Insurance – If an employee is granted a medical leave of a medical leave of absence without pay, the City shall pay the employee only cost of medical insurance premiums for the first three (3) months.

VI-F. Military Leave

Per City Council Resolution No: 11-02-2021 Effective Date: November 5, 2002

1. Applicability – All City employees who have successfully completed an initial one-year probationary period shall be eligible for the benefits described herein, whether full-time or part-time.

2. Supplement of Salaries – The City will supplement an employee’s salary beyond the gross amount received for uniformed military services pay for up to twelve (12) full months of active duty actually served by the employee. Any employee requesting supplemental pay pursuant to this policy shall provide the City with written evidence of gross monthly salary paid for military service and shall also provide written evidence of gross monthly service, beyond the minimum service required as part of his or her commitment to serve in the Military Reserves or National Guard. The City Council will review the call to duty to determine further salary supplement, if the employee is requested to serve longer than twelve (12) months.
3. Health Insurance – After initial 30 days of active duty, the City will cover the employee for thirty (30) days with Cafeteria Plan benefits. After this time, it is expected the employee will have such medical and dental benefits covered by the military.
4. Life Insurance – The City will maintain the life and accidental death and dismemberment benefits of employees called to active duty, subject to the terms and conditions, such as Act of War exclusion, of the City’s contracts with the providers of those benefits for up to 12 months of active duty service.
5. Annual Leave – Employees will continue to accrue benefits based on the length of service in accordance with the Military and Veterans Code.
6. Post-Uniformed Military Service Employment – Employees shall work for the City for at least six (6) months after completion of active duty uniformed military service for the benefits in this policy to accrue.
7. Resumption of Employment – Every employee returning from active duty uniformed military service shall notify his or her employer of an intention to resume work, and according to the following schedule:
 - a) If the employee has been on uniformed military service for less than thirty-one (31) days, the employee shall notify the head of the department of the employee’s intention to resume work, and actually resume work, no later than the beginning of the first full regularly scheduled work period on the first full calendar day following the completion of the active duty period of service. If through no fault of the employee, the employee cannot notify and report as set forth above; the employee must notify and report as soon as possible.
 - b) If the employee has been on active duty uniformed military service for more than thirty (30) days but less than one-hundred-eighty-one (181) days, the employee shall notify head of the department of the employee’s

intention to resume work, and actually resume work, no less than fourteen (14) days following the completion of the period of service. If through no fault of the employee, the employee cannot notify and report as set forth above, the employee must report as soon as possible.

- c) If the employee has been on active duty uniformed military service for more than one-hundred-eighty (180) days, the employee shall notify the head of the department of the employee's intention to resume, and actually resume work, no less than thirty (30) days after the completion of the period of service.
 - d) If an employee is hospitalized, convalescing, or recovering from illness or injury incurred or aggravated during the period of uniformed military service, the employee must report at the end of the period needed for recovery up to two (2) years, unless the ability to report within the 2-year period is made impossible or unreasonable due to circumstances beyond the employee's control.
8. Relinquishment of Benefits – An employee who is qualified for and elects to receive the benefits provided by this policy but does not comply with the requirements of sections 6 or 7 above, will repay supplemental compensation provided by the City pursuant to this policy.
9. Duration of Benefits – The benefits payable pursuant to this policy shall continue for up to twelve (12) months from the first full day of active uniformed military service for each employee.
10. Rights and Benefits Not Exclusive – The rights and benefits provided by this Policy are in addition to those provided by existing applicable local, state, and federal law, including the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

VI-G. Family Death Leave

Upon request, regular full time employees shall receive time off with pay, not to exceed three (3) days in any one (1) instance to arrange for or attend a funeral of a member of their immediate family as defined in Section I-G.

VI-H. Leave of Absence Without Pay/Effect on Seniority

1. Thirty Day to Six Months – Except as provided under State law for employees on military leave of absence, employees on leave of absence without pay exceeding thirty (30) days shall not continue to accrue or leave credits nor shall the City be required to maintain contributions toward group insurance or retirement coverage. During the period of such leaves, all service and leave credit shall be retained at the levels existing as of the effective date of the leave.
2. More Than Six Months – The Personnel Officer may grant an employee a leave of absence without pay for a period not to exceed six (6) months. Any leave of absence for a period longer than six (6) months shall be approved by the City Council. Upon expiration of an approved leave, the employee shall be reinstated in the position held at the time leave was granted or to a comparable position.

VI-I. Civic Responsibility Leave

In accordance with the California Election Code Section 14350, if a registered voter employee does not have sufficient time outside regular working hours within which to vote at general direct primary or presidential primary elections, he/she may take off working time as will enable him/her to vote. The scheduling of the time reference above shall be subject to approval of the Department Head and shall normally be at the beginning or end of a work shift. A maximum of one (1) hour may be taken with pay.

VI-J. Jury Duty Leave

An employee who is called for jury duty or for examination for jury duty shall be compensated at the employee's regular rate of pay for those hours of absence due to the jury duty which occurred during the employee's regularly scheduled working hours provided the employee deposits the employee's fees for the hours of jury duty, exclusive of mileage, with the City. Fees for jury duty performed during hours other than regularly scheduled working hours may be retained by the employee.

VI-K. Witness Leave

An employee who is called to answer a subpoena, as a witness in an official capacity shall be compensated at his/her regular rate of pay for all hours absence from work due to answering the subpoena provided that the employee shows proof of the subpoena.

An employee subpoenaed to appear in court in a matter unrelated to his/her official capacity as a City employee shall be permitted time off without pay or the employee may choose to use accrued vacation for this purpose.

VI-L. Medical Leave

The Personnel Officer may place an employee on a medical leave of absence without pay when that employee is incapacitated to perform the regular functions of the position. This type of leave may be used pending the employee's anticipated recovery or pending the outcome of medical evaluation of the employee's physical or mental health as it relates to the performance of his/her work. Before an employee is placed on such leave status, the employee shall utilize all accrued sick leave and vacation credits.

A medical leave of absence may also be directed by the Personnel Officer in cases where an employee already off the job due to illness or injury has exhausted all accrued sick leave and vacation credits.

Under normal circumstances, no leave directed or granted under this Section shall exceed 120 days, at which time the Personnel Officer may, under extraordinary circumstances, extend the leave for a definite period or terminate it.

VI-M. Family Leave

Under the "California Family Rights Act" employees may be granted up to twelve (12) work weeks in a 12 month period (calendar year) of unpaid leave for the following reasons:

1. The birth of a child or purpose of bonding, for placement of a child in the employee's family for adoption or foster care.
2. Serious health condition of the employee's child, parent, spouse, domestic partner, and for employee's own serious health condition.
3. **Definitions**
 - a) Child includes a biological, adopted, foster, stepchild, legal ward, or child of a person standing in loco parentis (who has parents' rights), who is either under the age of 18, or an adult dependent child. This includes children of domestic partners.
 - b) Parent includes biological, foster, or adoptive parent, stepparent (including domestic partner), or legal guardian.
 - c) Serious Health Condition means an illness, injury (including on-the-job injuries), impairment or physical or mental condition which warrants the participation of a family member to provide care during a period of the treatment or supervision and involves either inpatient care in a hospital, Hospice, or residential health care facility, or continuing treatment or continuing supervision by a health care provider.

4. Employees may use accrued vacation or other accrued time off during the period of the family care leave. The City Manager may authorize, but may not require use of sick leave.
5. During any period not covered by accrued leave, employees are required to pay employee health and welfare benefit plan premiums outside of what is normally covered by the City. The City is required to continue coverage for 12 work weeks in a 12 month period.
6. While on family care leave, employee retain employee status, and the leave does not constitute a break in service for purposes of longevity, seniority, or any
7. If an employee's need for a family care leave is foreseeable, e.g., where the first of a child is expected, employees are required to provide reasonable advance notice of the need for the leave. The employee must provide a minimal of verbal notice, but it is preferred to have the notice in writing. Notice must be given 30 days prior in advance if possible. Otherwise, notice may be given as soon as feasible. The notice must be provided to the department head of Human Resource Office. The notice must include the reason for leave and anticipated duration. The City must reply to the leave request no later than ten (10) calendar days after receiving request.
8. The City shall provide notice to employees of rights to request a CFRA leave and shall place notice with all other mandatory postings. This right shall also be posted in the Personnel Manual.
9. If an employee's need for leave is foreseeable due to planned medical treatment or supervision, the employee is required to make a reasonable effort to schedule the treatment or supervision to avoid disruption to the employer.
10. Employees who request leave to care for a child, spouse, or parent who has a serious health condition must provide certification from the health care provider of the individual requiring care. Certification should include a statement that the condition warrants participation of a family member and an estimate of the amount of time the employee needs to care for the individual.
11. At the end of an employee's period of pregnancy disability leave, a CFRA-eligible employee may request a CFRA leave of up to 12 work weeks for reason of birth of child if the child has been born by this date. There is no requirement of serious health condition for this leave. Request must be made within reasonable period of time.
12. Basic minimum duration of a CFRA leave is two weeks where the leave is taken for the birth, adoption, or foster-care placement of a child. However, City shall grant a request for a CFRA leave of less than two weeks duration on any two occasions. In addition, leave taken for the birth, adoption, or foster care placement of a child must be completed

within one year of the qualifying event. When CFRA leave is taken for the serious health condition of a parent, child, or spouse (or domestic partner) or for the serious health condition of the employee, leave may be taken intermittently or on reduced-work schedule when medically necessary, as determined by the health care provider of the person with the serious health condition.

13. If both parents are eligible for CFRA leave and are both employed by the City, the City may limit leave for the birth, adoption, or foster-care placements of their child to 12 work weeks in a 12-month period between both parents. Permission to grant 12 weeks to both must be granted by the City Manager. No other limitations restrict these parents from taking a CFRA leave for other qualifying events.
14. The City guarantees reinstatement to the same or comparable position at the completion of CFRA leave. This guarantee must be provided in writing if requested by an employee.
15. The City may deny reinstatement to an employee if the position ceased to exist such as in a lay-off. The City may also deny reinstatement if the employee taking leave is a key employee (salaried and amount the highest paid 10%) and the denial of reinstatement is necessary to provide substantial and grievous economic injury to the operations of the City. If this is the case, the City must notify the employee of the intent to refuse reinstatement at the time the employer determines the refusal is necessary as well as give the employee a reasonable opportunity to return to work.
16. The City of California City will use the California Family Rights Act and Federal Medical Leave Act concurrently.

Section VII. Workweek, Compensation, and Benefits

VII-A. Definitions

1. Overtime is authorized time worked because of emergency condition which require an employee to work more than that employee's normally scheduled hours.
2. Emergency conditions exist when overtime work is required to:
 - a) Prevent the interruption of necessary public service.
 - b) Protect property from damage.
 - c) Remove hazards that threaten the public safety.
 - d) Complete an activity, project, or work assignment within an established legal time limitation.
 - e) Serve the convenience of the public.
3. Workday is the number of hours an employee is scheduled to work in a 24-hour period.

4. Workweek is a period of 168 consecutive hours (7 consecutive 24- hour periods-mandated by Fair Labor Standards Act and cannot be changed) as determined by the Personnel Officer.
5. Scheduled workweek is the employee's predetermined number of hours per workday and workdays per workweek as established by the Department Head and/or Personnel Officer.
6. Normal work schedule is the predetermined number of work hours per day and workdays per work period for employees in fire protection activities.
7. Base rate is the salary regularly received by the employee including extra rates or differentials granted for night, unusual shift work, stand by pay, etc., pursuant to the Salary Ordinance and the Personnel Manual.
8. Regular rate overtime is compensation for overtime worked at the employee's base rate of pay.
9. Premium rate overtime is compensation at one and one-half times the employee's base rate of pay.
10. Compensatory time is time off in lieu of pay for overtime hours worked.
11. Compensated leave is an authorized leave of absence for which the employee receives pay, it includes industrial leave, sick leave, annual leave, paid military leave, and court leave.

VII-B. Workweek

The normal workweek shall be forty (40) hours consisting of:

1. Employees on an Eight Hour Shift – Five (5) consecutive work days of eight (8) hour each within a period of seven (7) consecutive days starting at 12:01 am Tuesday and ending at 12:00 am on the following Monday.
2. Employees on a 9/80 Schedule and have every other Monday off, the workweek shall begin at 11:31 am on Monday and shall end at 11:30 am the following Monday that the employee is off.

3. Employees on a 9/80 Schedule and have every other Friday off, their workweek shall begin on Friday at 11:31 am and shall end at 11:30 am the following Friday that the employee is off.
4. Fire Suppression Personnel – Fire Department suppression personnel shall work a fifty-six (56) hour workweek, which will normally include eight (8) hours of sleep time per any assigned 24-hour shift. See MOU for further definition.
5. Part-time personnel – With the approval of the Personnel Officer, Department Heads shall schedule the work day and workweek for part-time employees.

VII-C. Overtime

1. Notification of Employees – An employee who may be asked or required to perform overtime shall be notified of the apparent need for overtime as soon as practicable prior to when the overtime is expected to begin.
2. Distribution of Overtime
 - a) Overtime opportunities shall be made available first on an equal basis to regular full time employees capable of performing work.
 - b) To receive overtime compensation, all overtime must be authorized in advance by a Department Head, his/her designee, or the City Manager.
3. Payment for Overtime
 - a) The Fair Labor Standards Act (FLSA) requires that work performed by non-exempt employees, except Fire Suppression Personnel, in excess of forty (40) hours in a seven (7) day work period be compensated at the rate of time and one-half the employee's regular rate of pay.
 - b) For employees working an eight (8) hour shift, any authorized time worked in excess of eight (8) hours in one (1) day shall be compensated at the rate of time and one-half the employee's regular rate of pay.
 - c) For fire suppression personnel, FLSA allows for a 28 day cycle in which to determine overtime. See Memorandum of Understanding for complete procedures.
 - d) Overtime shall be credited in fifteen (15) minute increments with no credit given for time worked which is less than one third (1/3) of fifteen (15) minute period.

e) Longevity pay shall be paid to employees according to the following schedule:

- 1) 2% at completion of 10 years continuous service.
- 2) 2% at completion of 15 years continuous service.
- 3) 2% at completion of 20 years continuous service.

VII-D. Rest Period

Each employee shall be granted one fifteen (15) minute rest period for each four (4) hours worked.

VII-E Eligibility for Benefits, Temporary and Part-Time Employees

1. Temporary Employees – Employees holding temporary appointments shall not accrue service credit or be provided an benefit other than that required by the State or Federal Law.
2. Part-Time Employees – Employees holding regular part-time positions in the Classified Service shall not accrue vacation, sick leave, and holiday credits. After working 1000 hours in 1 year, to be enrolled in PERS Retirement per State Law.

VII-F. Compensation for Employees

1. Employees shall receive compensation at the monthly or hourly rate for the range and step or base rate assigned to the class in which they are employed.
2. A new employee shall be paid at the first step of the salar range in effect for the particular class or position in which the new employee is hire except as provided in VII-F.3 below.
3. The City Manager may authorize the appointment of employees at any of the steps of the salary range. Such appointments shall be made only when the City Manager makes a determination that there is a direct and measurable benefit to the City from such appointment and makes a determination that the applicant's pervious training and experience enables him/her to make a greater contribution than less that experienced employee.

VII-G. Salary On Promotion

Any employee who is promoted to a position in a class with a higher salary range than the class in which he/she formerly occupied a position shall receive the nearest higher monthly salary in the higher salary range that would constitute at least a minimum one (1) step salary increase, unless the maximum step in the range provides less than one (1) step increase. The employee

shall be given a new merit review date for purpose of future salary step advancement. The new date shall be based upon the effective date of the promotion.

VII-H. Salary on Demotion

1. Involuntary Demotion – A employee who is involuntarily demoted may have his/her monthly salary reduced two (2) steps of he/she shall receive the maximum rate in the salary range for the class to which he/she has been demoted, whichever is lower. The employee shall be assigned a new merit review date based upon the effective date of the demotion. An involuntary demotion is considered a disciplinary action and subject to the provision of the disciplinary procedures.
2. Voluntary Demotion – An employee who is demoted at his/her own request shall receive the highest salary in the new range that does not exceed the employee's rate of pay immediately prior to reduction. The employee shall retain the merit salary review date he/she had in the higher position.

VII-I. Salary on Position Reclassification

When a regular or probationary employee's position is reclassified and he employee is appointed to the new position, his/her salary shall be determined as follows:

1. If the position is reclassified to a class with higher salary range than the previous class, his/her salary and merit review date shall be set in the same manner as if he/she had been promoted.
2. If the salary of the employee is the same or less than the maximum of the salary range of the new position, the salary and merit salary increase review date of the employee shall not change.
3. If the salary of the employee is greater than the maximum of the range of the new position, the salary of the employee shall be designated as a Y-rate and shall not change during continuous regular service until the maximum of the salary range to which the position is assigned exceeds the salary of the employee.

VII-J. Salary Upon Re-Employment Following Layoff

An employee re-employed in the same position or a comparable position he/she held prior to layoff shall receive the same salary step in the range of the position he/she held prior to layoff.

VII-K. Salary on Transfer

An employee who is transferred from one position to another having the same salary range shall be compensated at the same step in the salary range as he/she previously received. The employee's merit review shall not change.

VII-L. Merit Increase Adjustments

1. Advancement to higher steps in the employee's salary range shall be determined by length of service at the current salary step and by job performance. Upon satisfactory completion of the probationary period, the employee's salary shall be increased by one (1) step. Thereafter, there shall be an increase of one (1) step upon the completion of twelve (12) months satisfactory service at each lower step. This service will be determined by a "meets expectations" grade on the evaluation.
2. For any step increase to be granted, a performance rating must be submitted to the Personnel Officer at least fifteen (15) days prior to the date on which the employee will become eligible for such increases. The report must indicate at least acceptable work performance and conform to the procedures governing performance ratings as set forth in these rules and specifically recommended approval or denial of the step increase.
3. Final approval of all step salary increases provided for in this section shall rest with the Personnel Officer. Decision of the Personnel Officer will be final. The employee will not have the right to grieve or appeal any determination of merit adjustment except where the City Manager overrides the decision of the Department Head. It shall be the responsibility of the Department Head to ensure that the required performance evaluation is submitted in a timely and complete fashion. In no event shall an increase be granted before the requirements of this provision have been satisfied. All evaluations must go to the Department Head for approval before going to employee.
4. If, in the supervisor's judgment, the employee's performance does not justify a salary increase on the review date, the employee shall be placed on a Performance Improvement Plan, and shall receive another performance evaluation within ninety (90) days.
5. The Personnel Officer may, at his/her sole discretion, upon advice of the Department Head, grant a merit increase prior to completion of the instep eligibility requirement set forth above.
6. Authorized salary step increases shall become effective on the employee's review date, including any reviews as a result of a performance review plan as identified in VII L-4 above.

7. Should employee's review date be overlooked, and upon discovery of the error, the employee is recommended for a salary increase, the employee shall receive a supplemental payment compensating him/her for the additional salary he/she would have received had the increase been granted at the appropriate time.

VII-M. Determination of Merit Increase Dates

1. An employee's merit increase date is determined for the following occurrences:
 - a) The date a new employee is hired as a regular appointee.
 - b) One year following the date of initial probationary review date.
 - c) The date an employee is promoted
 - d) The date set by action of the Personnel Officer in postponing a step increase for disciplinary or other reasons.
 - e) The effective date of the most recent increase.
2. Exceptions:
 - a) If an employee is absent more than ten (10) calendar days on suspension or leave without pay, the Personnel Officer shall extend the employee's merit increase date by the number of calendar days of absence.
 - b) If an employee who:
 - 1) Is promoted and fails probationary period,
 - 2) Accepts a limited promotion and subsequently returns to the former class,
or
 - 3) Voluntarily demotes to a formerly held classification,Would be eligible for a step increase if not promoted, the employee is eligible for this increase upon return to the former class, and subsequent normal merit increase dates will be determined as if the employee had been in the former class during the time spent in the higher class.
 - c) If a regular employee is laid off and subsequently appointed to the same class from a reemployment list, future normal merit increase dates will be determined by total length of service in the class, excluding period of non-employment due to the layoff.
 - d) If an employee voluntarily demotes to a class in which the employee has not had prior service, the merit increase date will be determined from the date service began in the lower class. For purposes of this section, a demotion in lieu of layoff is not a voluntary demotion.
 - e) Time spent on "active duty" military leave shall not be counted for normal merit increase purposes, except as follows:
 - 1) Military leave for which the employee is paid shall be counted in merit increase time.

- 2) If the normal merit increase eligibility date falls within the period of military leave, the employee is eligible for consideration for a step increase. If granted, the effective date of the increase is the first day of the period and the employee receives pay for the full period at the advanced step.

VII-N. Health, Dental and Vision Benefits

1. The city will provide a flexible health, dental, and vision plan covering eligible employees and their dependents. Employees are required to select health, dental, and vision insurance to cover the employee and eligible dependents, and life insurance for the employee in the amount of \$15,000.
2. All Waste Water and Water department employees shall receive vaccinations to prevent cholera, yellow fever, and the plaque at no cost to the employee. Police Officers and Fire Fighters shall receive Hepatitis B and follow up testing.

VII-O. Vacation

Employees shall accrue vacation according to the following schedule:

1. 1 to 3 years, accumulate 8 hours per month
2. 4 to 11 years, accumulate 12 hours per month
3. Over 12 years, accumulate 16 hours per month

Vacation may be accumulated to a maximum of 160 hours, but the balance must be no more than 160 hours by June 30th of each year. Employees will be provided by thirty (30) calendar day notice when they are required to reduce their accumulated annual leave hours. This applies unless otherwise defined by Memorandum of Understanding.

VII-P. Cobra

When an employee leave the City employment, he/she is entitled to extend insurance coverage at their own expense under COBRA (Consolidate Omnibus Reconciliation Act of 1985) for a specified period of time. The City Manager's office will notify departing employees of their rights and provide forms and cost for continuing insurance coverage if they so desire.

VII-Q. Worker's Compensation

City employees are covered by Workers Compensation. The immediate supervisor is required to complete an accident investigation report and forward it to Personnel within twenty-four (24)

hours of knowledge of occurrence of the accident or injury. If the employee taken to a City designated doctor. The employee is to report to Personnel as soon as possible so that a complete Workers Compensation report and Employee Worker Compensation Claim Form can be filled out and forwarded to Workers Compensation immediately. Failure to follow this procedure may result in Workers Compensation denial of the claim.

Section VIII. Classification/Reclassification/Compensation Studies

VIII-A. Classification Changes

When it is proposed that a new position be created in the Classified Service or existing one reclassified or abolished, the Department Head proposing such action shall submit the justification to the Personnel Officer who shall conduct whatever study may be required.

The City Manager or designee shall have the authority to initiate, at any time, a study to determine the appropriateness of any position's classification allocation. The City Manager shall make the final determination on all actions arising under the provision, subject to approval by the City Council when the determination results in an amendment to the Personnel Rules.

The City will meet and confer regarding new job descriptions for any proposed classification relevant to that Bargaining Unit.

VII-B. Request for Classification Review

1. An employee, supervisor, or a Department Head may, at any time, submit a request to the Personnel Officer for review of an employee's position.
2. Requests for classification review shall be routed through supervisory channels to the Personnel Officer.
3. At each point of supervisory or managerial review, the request for classification study shall be analyzed and commented upon in light of administrative, organizational, or budgetary plans, as well as evidence of unequal distribution of workload or under-utilization of employee skills.
4. All requests shall be acted upon within ninety (90) days of receipt.
5. The decision of the City Manager shall be final without right of grievance or further hearing, except in case where City Council action is required, in which case the Council action shall be final.

VIII-C. Classification Studies

1. Classification Studies concern changes within the existing salary ordinance, and may be initiated at any time during the fiscal year. Classification studies typically concern:
 - a) Allocation of new positions to an existing class, or
 - b) Re-allocation of existing positions to an existing class.
2. Documentation – The following documents should be prepared as the basis for a study:
 - a) Position reclassification statements describing the changes in duties and responsibilities, which justify restudy of the position.
 - b) An organization chart with staffing patterns showing the position to be studied and interrelated positions.
 - c) Recommendation for placement on the salary schedule.
3. Study Procedure – If it determined that the classification study is appropriate, the Personnel Officer shall:
 - a) Review the documents specified above.
 - b) Review related positions.
 - c) Consult with the Finance Director.
 - d) Interview the Department head and other supervisors of the position and the incumbent, if there is one.
 - e) Conduct a job analysis interview with the incumbent, if there is one.
 - f) Compile the data into a formal report, which shall contain approval or denial of reclassification.
 - g) Copies of the final report shall be distributed to the Department Head who shall be responsible for notifying subordinates of decision.
 - h) The decision of the Personnel Officer shall be final, except as noted in VIII-B.5 above.

VIII-D. Compensation Studies

Compensation studies require changed in the salary ordinance and will be made during the salary-setting process each year. At which time procedural instruction and schedules will be announced. Compensation studies typically concern:

1. Changes in standard rates.
2. Modification of fringe benefit programs
3. Changes in position titles.

VIII-E. Out-of-Classification/Acting Assignments

Upon recommendation of the Department Head and Personnel Officer, the City Manager may approve acting appointments or out-of-classification assignments of regular City employees to high-level positions pending regular appointment in accordance with these Rules.

Out-of-Classification or acting appointments shall be reviewed on six (6) month intervals, with service in the position lasting a maximum of twelve (12) months. Time served on an interim appointment may be extended and may be credited to a probationary period when applicable, upon recommendation of the Department Head and approval by the City Manager.

After one (1) complete payroll period in an out-of-classification or acting capacity, and employee may, with the approval of Personnel Officer, earn the salary which is equal to Step A of the salary assigned to the higher level position or a five percent (5%) salary increase, whichever is greater.

While working in an out-of-classification or acting capacity, employees shall continue to accrue salary step increases in the employee's regular position. The step increase shall become effective upon the employee's return to his/her regular assignment.

An employee appointed to a position in an out-of-classification or acting may be removed without cause from that position at any time, and reassigned to his/her position at the sole discretion of the City Manager.

Section IX. Layoff Procedures

IX-A. Definitions

1. City Layoff Reemployment List – Qualified regular employees who are laid off may have their names placed on this list for the classifications in which they previously held regular status. The list will be used to fill vacant positions after exhausting the Department Layoff Reemployment List and prior to the use of other employment lists.
2. Department Layoff Reemployment List – A list containing names of qualified regular employees by total City seniority displaced from a position within a department as a result of a reduction of operations or personnel. Placement on this list grants specific right to displace employees for return to a similar position within the classification and department should vacancies occur after such displacement.
3. Displace – An action caused by reduction of authorized, budgeted position wherein an employee is demoted or laid off.

4. Non-Qualified Regular Employee – An employee with regular status whose overall performance evaluation rating is below a “standard” rating for the previous two annual ratings periods.
5. Qualified Regular Employee – An employee with regular City status whose overall performance is “standard” or higher.
6. Recalled employee – An employee who returns to the same or similar position within the classification from which displaced.
7. Seniority – The length of total continuous, unbroken time worked in City service in a budget position (extra-help, temporary, and part-time help excluded). Recalled employees shall be credited with their previous continuous employment as a date of re-employment. Approved leave of absence without pay maintain the continuity of employment, but the duration of the leave is deducted from the total continuous time period. Should two or more employees have identical seniority dates, the order of seniority will be determined by the employee’s length of continuous service in the classification affected. The employee with the least amount of continuous service in the affected classification will be the last senior. Should two or more employees have identical continuous service in the affected classification, seniority will be determined in the inverse order of the employee’s final position on a promotional or open-competitive employment list.

IX-B. Layoff List

Upon a Council decision to reduce position, the Personnel Director shall determine the name of those employees in each class and place them in the appropriate layoff order. Employees shall be subject of layoff within a class (Attachment A) in the following order:

- a) Non-regular employees:
 - Extra help employees
 - Temporary employees
 - Provisional (acting) employees
 - Probationary employees
- b) Non-qualified regular employees
- c) Qualified regular employees:
 - A qualified regular employee who has been promoted or transferred and whose status is probationary or temporary shall, for the purpose of these lay off rules, be defined as a regular employee of the position currently held in the Department to which the currently help position is allocated.

IX-C. Transfer/Demotion In Lieu of Layoff

The Personnel Director shall survey all departments to determine whether there are vacancies in the affected class or classes of equal or lower rank to which employees may transfer or demote.

When the Personnel Director certifies such a transfer is necessary to avoid layoff, the appointment must be made.

IX-D Bump Rights

If employees affected by the layoff have bump rights, it may be necessary for an employee to “bump” an employee with less seniority in the class. An employee exercising bump rights replaces an employee with less seniority in the class.

A regular employee who is bumped may in turn exercise bump rights and may fill a position in a class of equal and successively lower rank.

The salary of an employee displaced to a lower level shall be as provided by the salary ordinance. An employee displaced to lower classification shall not be required to serve a probationary period.

IX-E. Notice of Layoff

The Personnel Director shall notify all affected employees at least fifteen (15) business days prior to the effective day of the layoff. The notice of layoff shall include:

1. The reason for the layoff
2. The effective date of the layoff
3. The requirements governing retention of their names on the City reemployment list.
4. Procedures for employee appeal to layoff action if the employee charges violation of the layoff procedures.
5. A list of benefits, which will cease as a result of layoff and available options for employees.

IX-F. Placement of Names on Reemployment Lists

The Personnel Officer shall be responsible for formulation and maintenance of reemployment lists.

1. Department Layoff Reemployment List – The name of every qualified regular employee occupying a position on regular or probationary status, who is displaced as a result of reduction of authorized positions, as determined by the City Council, shall be placed on the reemployment list for the classification held at the time of displacement, and if displaced further, on each successive reemployment list for each lower classification in the

department held by the employee without a break in the continuity of seniority. Placement of names on this list shall be determined by total City seniority.

2. City Layoff Reemployment List – Every qualified regular employee laid off shall have the right to complete a City Layoff Reemployment List form listing any or all previously held City jobs in the sequence of continuous unbroken service to the City. The jobs listed shall be in order, with the most recent listed first. Names shall appear on the list in order of total City seniority; those with the greatest seniority shall be listed first.

IX-G. Use of Reemployments Lists

If after a layoff occurs within the department a position becomes available, the following method of filling the vacant position shall be used:

1. The Department Head shall notify the Personnel Director of the vacant position to be filled. The Personnel Director shall certify the most senior employee eligible for reemployment to the position from the Department Layoff Reemployment List and notify the eligible employee to arrange the date of filling the vacancy.
2. If the Department Layoff Reemployment List is exhausted, the Personnel Director shall certify the three most senior eligible employees from the City Layoff Reemployment List and shall notify them to contact the Personnel Office to arrange for a job interview.

IX-H. Rights of Employees Recalled From Layoff Displacements

Notwithstanding any provision to the contrary, the Department Layoff Reemployment List and the City Layoff Reemployment list shall have precedence over all other employment lists.

The duration of affected employees' rights to recall through the Department Layoff Reemployment List and the City Layoff Reemployment List shall be two (2) years from the date of placement on such lists.

Individual names shall be removed from the Department Layoff Reemployment List and the City Layoff Reemployment List for any of the following reasons:

1. Failure to accept employment or report to work in a similar position in the same classification within the department from which the employee was laid off.
2. Failure to appear for a job interview after notification.
3. Failure to respond for any reason, within seven (7) working days after posting by certified mail of a notice to the employee certifying eligibility for reemployment.
4. Request in writing by the employee to be removed from the lists.

5. Failure to accept employment or report to work for a position within a classification listed by the employee on the City Layoff Reemployment List form shall cause removal of the employee's name only for the classification refused.

IX-J. Restoration of Former Employee's Name to Layoff Reemployment List

If a former employee's name has been removed from the Layoff Reemployment Lists for any of the reasons listed above, the former employee may request restoration of his/her name to the list. Request for restoration to Layoff Reemployment List shall be submitted to the Personnel Director. Restoration will be permitted only for the following reasons:

1. If the failure to comply with IX-I. 1-5 above is alleged to be a result of a medical disability; the former employee shall provide sufficient medical evidence to support the request for restoration to the list. The personnel Director may determine, following review of the evidence, restore the former employee's name to the appropriate Layoff Reemployment List.
2. If the failure to comply with IX-I. 1-5 above is alleged to be a result of unusual or unique non-medical circumstance beyond the individual's control, the former employee shall submit sufficient evidence to support the request for restoration to the list. The Personnel Director may determine, upon review of the evidence, to restore the former employee's name to the appropriate Layoff Reemployment List.

Restoration for any former employee to a Layoff Reemployment List shall not extend the individual's original two (2) year duration of rights. Restoration of a former employee shall not affect any previous appointment from Layoff Reemployment List.

A former employee who has had his/her name removed from a Layoff Reemployment List may, upon request to the Personnel Director, have his/her name placed on the City Reemployment List.

City of California City

Classes

Clerical

Administrative Secretary

Secretary/Administrative Clerk

Senior Clerk Typist

Clerk Typist

Accounting

Accounting/Data Processing Supervisor

Account Clerk III

Account Clerk II

Account Clerk I

Building

Senior Building Officer

Building Inspector/

Code Enforcement Officer

Building Inspector I

Engineering

Engineering Technician

Transit

Senior Dial-A-Ride

Dial-A-Ride Driver

Law Enforcement

Lieutenant

Sergeant

Special Investigator

Corporal/Officer II

Police Officer

Clerk/Dispatcher

Animal Control Officer

Fire

Fire Captain

Fire Apparatus Engineer

Firefighter/Paramedic

Firefighter

Waste Water

Waste Water Treatment Plant Operator III

Waste Water Treatment Plant Operator II

Waste Water Operator in Training

Water

Lead Water Operator

Maintenance Worker II – Water

Maintenance Worker I – Water

Pumping

Pumping Operator III

Pumping Operator II

Pumping Operator in Training

Mechanical

Garage Supervisor

Heavy Equipment Mechanic II

Heavy Equipment Mechanic I

Auto Technician I

Auto Technician II

Street Maintenance

Lead Person – Streets

Equipment Operator Lead

Heavy Equipment Operator II

Heavy Equipment Operator I

Equipment Operator

Maintenance Worker II – Streets

Maintenance Worker I – Streets

Building Maintenance

Building Maintenance Worker

Building Custodian

Park and Land Maintenance

Parks Maintenance Supervisor

Maintenance Worker II – Parks

Maintenance Worker I – Parks

Park and Recreation

Recreation Assistant

Section X. Discipline

X-A. Cause

Disciplinary measures may be taken for any good and sufficient cause. The extent of the disciplinary action taken shall be commensurate with offense, provided that the prior employment history of the employee may also be considered pertinent. Cause may include violation of the Personnel Ordinance or of the Policies and Procedures, or any Department of Personnel rules and/or regulations; or any of the following:

1. Fraud in securing employment by making a false statement on an application for employment or on any supporting document furnished with or made a part of any application.
2. Incompetency such as failure to comply with the minimum standard of an employee's position.
3. Inexcusable negligent duty, such as failure to perform duties required of an employee within his/her position.
4. Willful disobedience and insubordination such as willful failure to conform to duly established order or direction of person in supervisory position.
5. Dishonesty involving employment
6. Being under the influence of alcohol or intoxicating drugs while on duty.
7. Violation of the City's municipal code, personnel rules, department rules, professional standards or any conduct sufficiently irregular to justify discipline.
8. Discourteous treatment of co-worker or member of the public.
9. Improper or unauthorized use of City property.
10. Any act of conduct, which either during or outside of duty hours is of such a nature that is cause discredit to fall upon the City, or the employee's department. Failure to maintain proper decorum during working hours, causing discredit to the employee's department or division. Unless otherwise state by State Law.
11. Abuse of sick leave, unexcused absence without leave, excessive tardiness.
12. Carelessness or negligence in care and handling of City property.

13. Conviction of a felony or misdemeanor involving moral turpitude, which is or may be related to the performance of the employee's job.
14. Falsification of any City report or record of any report or record required to be filed by the employee.
15. Loss of driver's license for an employee whose job requires driving on City business or who's driving record renders him/her uninsurable rates.
16. Discrimination or harassment of a fellow employee for any reason.

X-B. Types of Action

The types of disciplinary actions included under this policy are verbal reprimand, written reprimand, suspension without pay, involuntary demotion, reduction in pay, and termination. For each type of disciplinary action, certain steps and due process procedures must be followed. A supervisor who is considering a disciplinary action should discuss the circumstances of the situation with the next level supervisor – before taking any action unless the particular situation requires immediate action. A supervisor is not required to take disciplinary actions in sequential order. Depending upon the specific circumstances of the violation, the supervisor should determine which action(s) is (*are) appropriate. Any supervisor may take steps X-C 1-2 and may recommend discipline involving X-C 3-6. However, only Department Heads or the Personnel Officer may administer steps X-C 3-6.

X-C. Progressive Steps

Disciplinary action may, but is not required to be taken in progressive steps as follows:

1. Verbal Reprimand – The supervisor holds a Verbal Reprimand meeting with the employee. The purpose of the meeting is to tell the employee conduct or acts which are in violation of City Rules, policies, or practices and to remind the employee of the behavior that is expected in the future and the further consequences of not meeting the performance expectations of the supervisor.
2. Written Reprimand – The supervisor prepares a Written Reprimand memo. The Written Reprimand shall constitute notice of the infraction(s) including time and circumstances. The supervisor will hold a Written Reprimand meeting with the employee.
 - a) Employees who have received Written Reprimands are entitled to the following due process:

- 1) A meeting with the supervisor to discuss the contents of the Written Reprimand.
 - 2) The opportunity to present a written response to the Written Reprimand and have their written response considered before the Written Reprimand is placed in the employee's personnel file. The employee must submit any written response to the City Manager, or a designee, to be forwarded to the issuer or the Written Reprimand for consideration.
 - 3) The employee has five (5) business days from receipt of the Written Reprimand in which to write a response to it and/or request an informal meeting with the person issuing the reprimand to discuss its contents. The issuer of the reprimand will then consider it and based on that consideration, either withdraw or submit it to the City Manager, or designee, to be placed in the employee's personnel file.
3. Suspension Without Pay – An employee may be suspended without pay for up to thirty (30) calendar days. When placing an employee on Suspension without Pay, the supervisor shall follow all of the steps listed under Notice of Intent to Impose Discipline (Section X-D), Pre-disciplinary Hearing (Section X-E), and Appeal Rights (Section X-F) of this policy.
 4. Involuntary Demotion – An employee may be demoted to a classification having an overall lower salary range. When demoting an employee, the supervisor shall follow all the steps listed under Notice of Intent to Impose Discipline (Section X-D), Pre-disciplinary Hearing (Section X-E), and Appeal Rights (Section X-F) of this policy.
 5. Reduction in Pay – An employee may be reduced in maximum salary rate of pay. When reducing the maximum salary of an employee, the supervisor shall follow all the steps listed under Notice of Intent to Impose Discipline (Section X-D), Pre-disciplinary Hearing (Section X-E), and Appeal Rights (Section X-F) of this policy.
 6. Termination – When it is necessary to terminate an employee, the supervisor shall follow all the steps listed under Notice of Intent to Impose Discipline (Section X-D), Pre-disciplinary Hearing (Section X-E), and Appeal Rights (Section X-F) of this policy.

X-D. Notice of Intent to Impose Discipline

1. Notice of Intent Required – A Notice of Intent shall be given to the employee whenever the City intends to discipline by suspension without pay, reduction in pay, demotion to a classification with a lower salary range, or termination.

2. Content of Notice of Intent – The Notice of Intent shall inform the employee of the disciplinary action intended and the effective date of the intended action. Further, it shall set forth the nature of the infraction(s), any previous disciplinary action taken, how the employee's conduct has had an adverse impact on the City's or department's operation, all material upon which the action is based, and notification that the employee has the right to respond orally or in writing to the City Manager within five (5) business days from the date of issuance of the Notice of Intent if personally served or ten (10) days if served by mail.

Whether delivery is made in person or by mail, the Notice of Intent shall contain a "statement of delivery or mailing" indicating the date on which the Notice of Intent was personally delivered or deposited in the United States mail. The date of delivery or mailing shall be the "date of issuance" of the Notice of Intent.

X-E. Response to Notice of Intent

1. Written Response of Notice – The Employee shall be entitled to respond in writing to the Notice of Intent. Response must be received by the City Manager, or designee, within five (5) business days from the date of issuance of the Notice of Intent if personally served and ten (10) days if served by mail. If mutually agreed upon by both parties, the response time may be extended. After review of an employee's timely response, if any, the City Manager, or designee, shall notify the employee of any action to be taken. Action to be taken may not include discipline more severe than that described in the Notice of Intent. The City Manager may reduce such discipline without the issuance of a further Notice of Intent.
2. Pre-Disciplinary Hearing – An employee who receives a Notice of Intent may request a hearing on the Notice of Intent. The request for a hearing shall be delivered to the City Manager, or designee, within five (5) business days of the issuance of the Notice of Intent if personally served and ten (10) days if served by mail. Upon receipt of a request for a hearing, the City Manager, or designee, shall schedule a hearing to take place within five (5) business days with the employee and supervisor to review the proposed action and allegations.
3. Suspension With Pay Pending Determination of Disciplinary Action – An employee may be placed on suspension with pay pending an employee's response to the Notice of Intent and determination by the City Manager, or designee, of the disciplinary action.
4. City Manager Determination – Within five (5) business days following conclusion of the hearing, the City Manager, or designee, shall issue and deliver to the employee a written statement of his/her decision to uphold, modify, or reject the proposed disciplinary action.

X-F. Appeal Rights

Employees are entitled to the presence of a representative during the appeal process.

Regular employees may appeal suspensions without pay, reduction of pay, demotions, or termination to the City Council, or its designee, by filing a written request to the City Manager, or designee, within ten (10) business days after service of Notice of Disciplinary Action if personally served and fifteen (15) days if served by mail. Within twenty (2) business days thereafter, the City Council will, or its designee, shall conduct an evidentiary hearing on the matter and may continue the hearing where appropriate. Within ten (10) business days the close of the hearing, a written statement of decision shall be issued. The decisions of the Council shall be final and binding. If the Council delegates the conduct of the evidentiary hearing, the Council shall, without considering any new evidence or hearing additional argument and within thirty (30) working days following receipt of an appeal, review the findings and recommendations and may then affirm, revoke, or modify the action taken. Cross-examination of witnesses shall be permitted. Proceedings of the hearing may be recorded. All hearings under this procedure shall be closed.

1. The hearing shall not be conducted in accordance with the technical rules relating to evidence and witnesses, but shall be conducted in a manner most conducive to the determination of the truth. Any relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of existence of any common law or statutory rules, which might make improper admission of such evidence over objection in court of law. City shall present evidence first in accordance with State Law.
2. Hearsay evidence may be used for the purpose of explaining any direct evidence but shall not be sufficient in itself to support a finding, unless it would be admissible over objections in civil actions.
3. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions.
4. Irrelevant evidence and unduly repetitious evidence shall be excluded.

X-G. Placement in Personnel File

Official disciplinary action documents shall be placed in the employee's personnel file at the Personnel Office.

Section XI. Complaint and Grievance Procedure

XI-A. Purpose of Complaint and Grievance Procedure

It is the City's purpose to provide an effective and acceptable system whereby employees can seek resolution of grievance or complaints on matters affecting their jobs. All levels of administration and supervision are expected to inform and encourage employees to discuss matter affecting their employment.

XI-B. Definitions

1. **Grievance** – An expressed claim by a non-probationary, regular employee in the classified service that the City has violated, misinterpreted, or misapplied an obligation to the employee as such obligation is expressed and written in the City Personnel Ordinances, Memorandum of Understanding, or Personnel Rules. Disciplinary actions, the content of performance evaluations, rejection from probation, and merit adjustment are not subject to the grievance procedure.
2. **Grievance Procedure** – The process by which the validity of grievance is determined.
3. **Representative** – A person who at the request of the employee or management is invited to participate in the grievance conference.

XI-C Grievance Procedure

Step 1:

The employee shall inform his/her immediate supervisor, orally or in writing of his/her grievance and relevant facts within ten (10) days after the employee knew, or in the exercise of reasonable diligence should have known, of the event giving rise to the grievance. At least one (1) conference shall be held between the employee and his/her immediate supervisor within five (5) work shifts after the employee has expressed his/her grievance. The immediate supervisor shall advise the employee of his/her decision within five (5) work shifts following the conference.

Step 2:

If the grievance is not resolved in Step 1, the employee shall put the grievance in writing and submit copies to his/her immediate supervisor and Department Head not later than five (5) work shifts following completion of Step 1. The written grievance shall include a citation of the sections of the Personnel Ordinance of Rule, or MOU alleged to have been violated and remedy

sought by employee. The Department Head shall review the grievance and his/her written decision to the employee within five (5) work shifts from receipt of the grievance.

Step 3:

In the event the grievance is not resolved in Step 2, the employee may submit his/her grievance to the City Manager not later than five (5) work shifts following completion of Step 2. The City Manager shall have ten (10) work shifts in which to review the matter. At conclusion of this review, he/she shall render his/her decision in writing to the employee and other concerned parties. The employee may be represented by any one person of his/her choosing at the City Manager meeting.

Step 4:

If the grievance is not resolved in Step 3, the employee may refer the grievance to the City Council or its designee. Referral shall be made within ten (10) work shifts if personally served and fifteen (15) days if served by mail after receipt of the decision in Step 3.

Appeals shall be in writing, signed by the appellant and filed with the City Manager, who shall within ten (10) work shifts after receipt of the appeal, inform each member of the Council, the City Manager, and any other persons or officers named or affected by the appeal. The appeal shall be a written statement, addressed to the City Council, explaining the matter appealed from and setting forth therein a statement of the action desired by the appellant.

Notice:

Upon the filing of an appeal, the City Manager shall set a date for a hearing on the appeal within twenty (2) business days from the date of filing. The City Manager shall notify all interested parties of the date, time, and place of the hearing.

Hearings:

The grievant shall bear the burden of proof and appear personally, unless physically unable to do so, before the City Council or its designee at the time and place of the hearing. Cross examination of the witness shall be permitted. The conduct and decorum of the hearing shall be under the control of the Council Chairperson with due regard to the rights and privileges of the parties appearing before it. Proceedings of the hearing may be recorded. All hearing under this procedure shall be closed.

The hearing shall not be conducted in accordance with the technical rules relating to evidence and witnesses, but shall be conducted in a manner most conducive to the determination of the truth. Any relevant evidence may be admitted if it is the sort of evidence on which responsible

persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rules, which might make improper admission of such evidence over objection in court of law.

Hearsay evidence may be used for the purpose of explaining any direct evidence but shall be sufficient in itself to support a finding, unless it would be admissible over objections in civil actions.

The rules of privilege shall be effective to the extent that they are now or hereafter may be recognized in civil actions.

Irrelevant evidence and unduly repetitious evidence shall be excluded.

XI-D. Findings and Action

The City Council shall, within ten (10) working days after conclusion of a hearing, submit its findings and decision in writing to the City Manager and appellant. Such findings and decision shall be based solely on material presented during the hearing. The findings and recommendations of the Council shall be final. If the Council delegates the conduct of the hearing, the Council shall, without considering any new evidence or hearing additional argument and within thirty (3) working days following receipt of decision, review the findings and recommendations and may then affirm, revoke, or modify the action taken.

XI-E. General Provisions

1. No retribution or produce shall be suffered by employees making use of grievance or complaint procedures by reason of such use.
2. Forms for filling and processing grievances and other documents necessary under these procedures shall be prepared by the Personnel Officer and given appropriate Distribution. All documents, communication, and records dealing with the processing of grievances, other than its disposition, shall be filed separately from personnel files.
3. Failure at any step of this procedure to communicate the decision on the grievance within specified time limits shall permit the aggrieved employee to proceed to the next step.
4. Failure at any step of this procedure to appeal a decision on grievance within specified time limits shall be deemed acceptance of the decision rendered.
5. The time limits specified at any step in this procedure may be extended by mutual agreement.

6. The employee may have reasonable time during working hours for preparing grievance. An employee may represent himself/herself.
7. Reasonable time off without loss or pay shall be given to an employee who has complain or grievance and his/her representative in order to participate in the complaint and grievance procedures.

Section XII. Miscellaneous

1. The Personnel Officer shall maintain a personnel file for each City employee. The personnel file shall contain information regarding employment status, disciplinary actions, and such other information as legally required and as may be considered pertinent as determined by the Personnel Officer.
2. Adverse statement shall not be included in an employee's official personnel file unless a copy is provided to the employee.
3. An employee shall have the right to respond in writing or personal interview to any information contained in his/her personnel file. Any reply shall become a permanent part of the employee's official Personnel file.
4. Any contents of an employee's official personnel file may be destroyed pursuant to an agreement between the Personnel Officer and the employee concerned or by order of an arbitrator, court or impartial hearing officer unless the particular item is otherwise required by law to be kept.
5. Access by Employee:
 - a) Each employee shall have the right to examine his/her personnel file except for records prohibited by law during regular business hours. Request must be made at least twenty-four (24) hours in advance.
 - b) If requested by the employee, copies of documents of any portion thereof, may be provided to the employee, or anyone designated by the employee. Charges may be made for these copies
6. Access by Other (excluding Safety Officers): Personal information about an employee (excluding peace officers) may be disclosed upon request:
 - a) To Department Head with legitimate business need for the information.
 - b) To law enforcement agencies (such as the District Attorney's Office, Sheriff's Department, Probation Department, and/or Federal Bureau of Investigation).

Information disclosed shall be limited to the employee's job classification, dates of employment, work location, gross pay, and home address. Representatives of these agencies requesting such information must first present suitable identification and legitimate need for the information.

- c) To local, state and federal revenue agencies (such as the County Revenue and Recovery Department, State Franchise Tax Board, and/or Internal Revenue Service). Information disclosed shall be limited to the employee's job classification, dates of employment, work location, gross pay, and home address. Representatives of these agencies requesting such information must first present suitable identification and legitimate need for the information.
- d) To other local, state and federal public agencies such as the County Welfare Department. Information disclosed shall be limited to the employee's job classification, dates of employment, and gross pay. Representatives of agencies requesting information must first present suitable identification and legitimate need for the information.
- e) To prospective employers, but limited to a confirmation of an employee's classification and dates of employment.
- f) To any other third person, agency, and organization when:
 - Requested in writing by the employee to who the records pertain.
 - Required by subpoena.
- g) Access by others to peace officer employee records: Personal information about an employee who is a peace officer may be disclosed upon request:
 - To employee's Department Head with a legitimate business need for the information.
 - To any third person, agency, and organization when:
 - 1) Requested in writing by the employee to who the records pertain
 - 2) Required by court order

XII-B. Accident Reporting

Employees must report any work-related accident or injury to their supervisor within twenty-four (24) hours of knowledge of its occurrence. Supervisors shall file an accident report and forward a copy to the Personnel Officer. If the accident requires the attention of a doctor, the Personnel Officer shall be notified immediately and the employee transported to an approved Workers Compensation physician.

The Personnel Officer shall notify Workers Compensation.

XII-C. Safety Committee

The Safety Committee shall be comprised of no less than three members as appointed by the City Manager based on recommendations by Risk Manager.

The safety Committee shall meet at least once a quarter to discuss any previous accident and/or injuries and way to resolve them in the future. More frequent meetings may be required based on other safety issues and recommendation by the City Manager. The Personnel Officer shall furnish copies of all accident reports to the Safety Committee for discussion.

XII-D. California Drivers License Requirement

Every employee whose job requires driving City or personal vehicles on City business shall have an appropriate valid California driver's license and be insurable at standard rates.

XII-E Use of City Vehicles

City vehicles are important public assets. They must be used only for authorized purposes. Some department have been allowed to assign vehicles to employees for City business.

Under no circumstance should a vehicle or equipment be used for personal reasons. No City vehicles or equipment should be outside City limits except in a public health emergency and as authorized by and appropriate authority, normally a Department Head. Employees violating this policy are subject to disciplinary action up to and including termination and/or criminal prosecution.

Pursuant to SB 1613 (VC 23123) In the interest of the safety of our employees and other drivers, if your job requires that you keep your cell phone turned on while you are driving, you must use a hands-free device. Unless using a hands free device or exempted by law, under no circumstance should employees place cell phone calls while operating a motor vehicle while on the City of California City's business and/or the City of California City's time. The bill provides that prohibition does not apply to a person who is using the cell phone to contact law enforcement or public safety for emergency purpose or to an emergency service professional while he or she operates an authorized emergency vehicle. Any citations for cell phone violations shall be the employee's responsibility. Any cell phone violations will also be subject to reprimand.

All necessary call phone hands free equipment is being provided for those employees who are required to keep your cell phone on while driving. The City will notify in writing those employees who are required to keep their phones on.

XII-F. Information to the Press and Radio

It is the City's desire to keep the citizens fully informed on all matters of public interest. Every employee any feel free to answer questions regarding his/her work with the City. However, in answering any questions, care should be taken to make certain that information is factual and complete since statements may be published or broadcast.

Questions of administrative policy should generally be left to the City Manager of Department Head (or designee thereof).

XII-G. Harassment

Purpose. The City of California City does not tolerate Sexual Harassment, Discrimination, or Harassment based on race, ancestry, national origin, color, sex, sexual orientation, religion, disability, marital status, age, or medical condition. The City of California City provides procedures for victims of sexual harassment/discrimination/harassment to report such behavior and disciplinary penalties for those who commit the prohibited behavior. No person, employee or third party, no matter his or her title or position, has the authority, whether expressed, actual, apparent or implied, to commit sexual harassment/discrimination/harassment.

1. Definition of Harassment includes, but is not limited to:
 - a) Verbal harassment such as epithets, derogatory comments or slurs
 - b) Physical harassment such as assault, impeding or blocking movement, or any physical interference with normal work or movement directed at an individual.
 - c) Visual forms of harassment such as derogatory posters, cartoons, or drawings.
 - d) Sexual harassment such as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature, such as name calling, suggestive comments or lewd talk and jokes, if:
 - 1) Submission to such conduct is made, directly or indirectly, a term or condition of working for the City.
 - 2) Submission to or rejection of such conduct is the basis for employment decisions.
 - 3) Such conduct unreasonably interferes with the individual's work performance or has the purpose or effect of creating an intimidating, hostile or offensive work environment.
2. Policy: The City of California City prohibits, forbids, and does not tolerate any employee, manager or visitor, male or female, to harass an employee or non-employee participant in the workplace or to create a hostile or intolerable working environment by exhibiting, committing or encouraging sexual harassment/discrimination/harassment.

There is not intent by the City of California City to regulate or control any relationship or social interaction of employees, which are freely entered into by both parties. However, if such relationships are developed, the public trust, safety, supervision, and moral of the

City will be considered and appropriate actions taken. The following are suggestions for all employees to help establish and maintain a professional and healthy working environment, while at the same time preventing sexual harassment from occurring.

It is the City's philosophy that employees must set an example of acceptable conduct by not participating in or provoking behavior that is offensive.

When appropriate, and possible, the employee should warn the harasser that the particular behavior is offensive and unwelcome. Make it absolutely clear that you are not interested in or flattered by, uninvited sexual advances. Be specific in advising that person about what conduct is offensive and unwelcome. Make it clear that you will take official action if it continues. Once you have spoken to the harasser, the document the incident and subsequent discussion.

If harassing behavior continues, or if you were unable to unwilling to confront the harasser directly, you may follow the reporting procedures as outlined below.

3. Reporting: If you are sexually harassed, discriminated against, or harassed, and have has no resolution once the harasser was confronted, you must report the act of harassment to your immediate supervisor or lead person immediately. If you feel uncomfortable doing so, or if you supervisor is the source of the problem, report to the next level of management or department head. If neither of these alternatives is satisfactory to you then you can direct you questions, problems, complaints, or reports to the Human Resources Manager. You are not required to directly confront the person who is the source of your report, question, or complaint before notifying any of those individuals.

If for any reason none of the above solutions are viable for your situation, you may also use the Employee Hot Line. The phone number is 1-800-576-5252. The code is 10137.

4. Investigation: The City of California City will determine what constitutes sexual harassment/discrimination/harassment based on a review of the facts and circumstances of each situation. The City of California City reserves the right and hereby provides notice that third parties may be used to investigate claims of sexual harassment/discrimination/harassment. Parties involved or believe to be involved must cooperate in any investigation of workplace wrongdoing or risk termination. All employees, including supervisors and managers, will be subject to disciplinary action up to and including discharge, for any act of sexual harassment/discrimination/harassment they are believed to have committed.
5. Confidentiality: Any investigation related to complain under this policy will be conducted with confidentiality and respect for the rights of all individuals involved. Information related to the investigation will be provided on a need-to-know basis only.

6. Retaliation: Any substantiated behavior which retaliates against any individual who seeks a review under this policy will be considered a violation of this policy and will result in serious disciplinary action up to including termination.

XII-H. Employee Claims For Personal Property Damage and Loss

Personal Property Loss or Damage. If an employee suffers a loss or damage to his/her personal property or prostheses, such as eyeglasses, hearing aids, dentures, watches, or articles of clothing in the line of duty, the Claims Review Board may authorize payment from City funds of the cost of replacing or repairing such personal property, subject to the following conditions:

The employee must demonstrate the satisfaction of the Board that the personal property or prostheses made the subject of the claim was necessarily worn, carried, transported, or used in a manner consistent with the employee's work assignment at the loss or damage.

In a claim for lost or damaged money (coins of currency), the employee must demonstrate to the satisfaction of the Board that carrying that amount of money was reasonable and necessary under all the circumstances surround that job assignment at the time of the loss or damage.

The employee must demonstrate to the satisfaction of the Board that the loss or damage was not occasioned by and intentional or negligent act of the employee.

The employee must submit a claim as provided for in this procedure and the Municipal Code.

Claim Procedure: Any employee seeking payment shall, within five (5) working days after the loss or damage occurred, present to the head of his/her department a verified claim setting forth facts and circumstances under which the personal property was lost or damaged and the extent of the loss or damage. Damaged personal property must be submitted with the claim. If the claims for lost property, or if damaged property is not submitted with the claim, the employee must include with his/her claim an affidavit explaining the circumstances of the loss or damage and the reasons for not submitting the damaged property, The claim must also be accompanied by a statement by a qualified person estimating the cost of both repair and replacement of said property.

Duties of Department Head: When a Department Head receives a claim as provided in this Code, it shall be his/her duty to consider whether the claim meets the criteria and conditions established. It shall be his/her further duty to recommend approval or disapproval of the claim and recommendation without delay to the Claims Review Board. Any recommendation or disapproval of all or any part of a claim must be accompanied by the Department Head's written statement setting forth his/her reasons for the recommendation.

Claims Review Board: There shall exist a "Claims Review Board" to review all claims present pursuant to the provisions of this article. The Board shall consist of three (3) members – the Personnel Director or his/her authorized representative, one Department Head, or his/her authorized representative, and one representative from the appropriate Bargaining unit.

Claim Review Board Duties: The Claims Review Board shall annually elect a chairperson. The Board shall meet from time to time as determined necessary by the chairperson, to review and allow or deny the claims presented pursuant to the provisions of this policy.

In deciding upon claims, the Board shall examine and consider all the facts and circumstances in determining if the loss or damage occurred in the line of duty and meets the conditions established in this policy. If the recommendation is for the payment of an employee claim for damages to property, there shall also be included a further recommendation as to whether the item should be repaired or replaced.

A copy of the Board's decision shall be filed with the employee, the Department Head; Director shall recommend payment by the City Council to the employee in accordance therewith. In the event the Board denies the claim, the employee shall have the right to appeal to the City Council by filing the appeal within fifteen (15) days of the date of its denial. The appeal may be in letterform and shall be filed with the City Clerk. The decision of the City Council shall be reached after consideration of the employee's claim and the Claims Review Board's denial. The decision of the Council shall be final.

XIII-I. Life Threatening or Contagious Medical Conditions/Disabilities (ADA/AIDS)

The City recognizes that applicants and employees with life threatening or contagious medical conditions including, but not limited to cancer, heart disease, and Acquired Immune Deficiency Syndrome (AIDS) may want to continue their normal life activities, including work, as their medical conditions allow. The City also recognizes the need to ensure that an applicant's or employee's medical condition will not present a health and/or safety threat to other employees or the public.

It is the City's policy to treat the above medical conditions like any other health problem or disability for employment purposes. As a result, it is the City's policy that reasonable accommodations are made for applicants with medical conditions providing they can satisfactorily perform their job duties without harm or danger to themselves, co-workers, or the public. Accommodations might include altering the work environment, providing special equipment, altering work schedules, providing rest breaks, and restructuring some of the duties of the position.

An employee with a disability or a life threatening or contagious medical condition may be required to provide a written statement from the treating physician indicating the employee is able to perform the duties of his/her job and will not be danger to himself/herself or others.

It is also the City's policy that reasonable accommodation consistent with the business needs of the City will be made for employees who develop medical conditions, provided they are able to meet acceptable performance standards and their condition is not a threat to themselves, co-workers, or the public.

The City further recognizes that applicants' and employees' health conditions are personal and confidential. The City declares as it policy that reasonable precautions should be taken to protect information regarding health conditions consistent with the business needs of the City.

The City supports education efforts and programs for employees regarding the above medical and physical conditions. Employees with these conditions and disabilities are encouraged to make use of the benefits and other resources available to them to maintain or improve their well being.

City of California City
Confirmation of Personnel Manual

I, _____, have received the City of California City's
2008 Personnel Manual upon being employed by the City of California City.

Signature

Date

Mary Johnson, HR

Date

